

IN THE MATTER OF THE
THE APPLICATION OF
WILLIAM PETERSON
FOR A SPECIAL EXCEPTION
ON PROPERTY LOCATED ON THE
NORTH SIDE JOPPA ROAD,
250 FEET WEST OF CENTERLINE
BELAIR ROAD
11TH ELECTION DISTRICT
6TH COUNCILMANIC DISTRICT

* BEFORE THE
* COUNTY BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* CASE NO. 91-208-X

OPINION

This case comes before this Board on appeal from an Order of the Zoning Commissioner denying the requested Petition for an illuminated sign. Opening statement by Petitioner's attorney indicated that he would produce testimony and evidence proving compliance with Sections 413.3, 413.5 and 502.1 of the Baltimore County Zoning Regulations (hereinafter "BCZR") to permit the requested sign. In opening statement, People's Counsel indicated that the case at point would hinge on compliance with Section 502.1. The case was heard this day in its entirety.

Petitioner called as his first witness Donna Hayward, the real estate manager for the Penn Advertising Company, the Petitioner in this case. Mrs. Hayward testified that an official lease was in effect on this site for one double-faced sign, 12 feet by 25 feet, which is the standard size for advertising signs.

William Monk next testified as a land planner and a consultant to real estate developers. He testified he has reviewed the Petition and visited the site; described the area, its zoning and its use; introduced photographs of the area; and testified that it was his opinion the sign was compatible with other uses in the area and complies with all the required sections of the BCZR. He introduced as Petitioner's Exhibit No. 1 the site outlined in

Case No. 91-208-X William Peterson

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yellow and described in detail the commercial uses extending on both sides of Joppa Road for a considerable distance in both directions. He introduced as Petitioner's Exhibit No. 3 a color-coded chart designating the proposed location of the sign and noting that it not only complies with setback requirements at the present time but also complies with all the setback requirements noted under the proposed State Roads takings for projected road improvements. He further testified that there is no adopted local plan in effect at the present time for this area, that the proposed sign was 175' from the nearest residence, that the nearest billboard in existence was 1/3 of a mile west on Belair Road, and that the proposed sign complies with all sections of 502.1.

John Erdman, a traffic expert, next testified that he did a traffic study of the site, that the nearest intersection was a Level D, and noted that this sign would create no additional traffic through this intersection. He testified at length as to various studies that have been made as to the effects of billboards on accidents, and testified that it was his opinion from these studies that this sign would cause no distraction to drivers or create any potential accident hazard. All of these statistics were entered into the record, and it was his opinion that the proposal complies with all sections of the BCZR. At this point, Petitioner rested.

Protestants called Jeffrey Long, a planner from Baltimore County, who testified that the Planning Office was in opposition to this sign for the following reasons: that this area is to be the subject of a future study after the 1992 Comprehensive Map Process,

Case No. 91-208-X William Peterson

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that this study is called for in the Master Plan, and that it was his opinion that there were already too many large signs in the area; and because of these potential unknowns the proposal does not comply with 502.1.

Dorothy McMann, president of the Perry Hall Community Association, testified that the community association was opposed to the sign. She entered into the record as People's Counsel's Exhibits No. 5A and No. 5B the traffic reports from this area and the traffic accident reports from this area. It was her opinion that the billboard was too big for this site and that the residences to the rear would be affected by this sign. She testified that the area, if this sign is granted, will have four billboards within a range of 4 miles and that 41,000 cars pass this intersection daily and do not need the distraction possibly created by this sign.

George Wilson, a resident of the area, entered as People's Counsel's Exhibit No. 7 the White Marsh Police Station accident reports for this intersection. He further testified that it was his opinion that these signs are a distraction and should not be allowed.

William Paulshack, a business owner from one street away, testified that he was in opposition to the sign and that in his opinion it was a detriment to the area. This concluded testimony and evidence in this case. The above encapsulation is in no way intended to portray the entire testimony and evidence received but will let the record speak for itself.

Opposition to billboard signs no matter where they are located

Case No. 91-208-X William Peterson

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is understandable. The Baltimore County Zoning Regulations in Section 413.3 and 413.5 are directed to the necessary conditions to permit an outdoor advertising sign. In addition, the Regulations require that the proposed sign comply with all sections of 502.1 for a special exception. It is the burden of the Petitioner to evidence to this Board that all of these conditions are complied with. If compliance with all these regulations is met, the Petitioner will then have proved his case and the Board must grant the requested Petition. A Petition may not be denied merely because someone doesn't want it. In this case, the Board will find as a fact that Petitioner has complied with all the requirements of 413.3, 413.5 and 502.1 of the BCZR, and will therefore find as a fact that the proposed sign as indicated by the testimony and evidence must be granted and will so order.

ORDER

IT IS THEREFORE this 1st day of April, 1992 by the County Board of Appeals of Baltimore County

ORDERED that the Petition to permit a double-faced unipole outdoor advertising sign as portrayed on Petitioner's Exhibit No. 3 be and the same is GRANTED.

Any appeal from this decision must be made in accordance with Rules B-1 through B-13 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

William T. Hackett
William T. Hackett, Chairman

Michael B. Sauer
S. Diane Levero

IN RE: PETITION FOR SPECIAL EXCEPTION
W/S Joppa Road, 250' W of the
c/l of Belair Road
11th Election District
6th Councilmanic District

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 91-208-X
* William Peterson
* Petitioner

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a special exception to permit two 12' x 25' illuminated advertising signs at the subject location, in accordance with Petitioner's Exhibit 1.

The Petitioner, by Albert Faginski, Esquire, appeared and testified. Also appearing on behalf of the Petitioner was Donna Hayward with Penn Advertising of Baltimore, Inc., Contract Lessee. Mark Miller appeared as a Protestant on behalf of the Perry Hall Improvement Association. Numerous residents of the area also appeared as Protestants in the matter.

It should be noted that this matter was originally scheduled to be heard on January 30, 1991 and was postponed at Petitioner's request and rescheduled for April 3, 1991. On March 28, 1991, Stuart Berger, Esquire, attorney for Petitioners, requested a second postponement. It was explained at that time that due to time constraints and proper notification to the public, the hearing could not be postponed and would be heard as scheduled (see copy of attached letter dated March 28, 1991 from J. Robert Haines, Zoning Commissioner to the File). Further, Mr. Berger was made aware that the Protestants' testimony would be taken at the April 3, 1991 hearing and that his right of cross-examination would be lost if he failed to appear. At the April 3, 1991 hearing, testimony was taken from the

Protestants and the matter was then continued to June 19, 1991 at which time Albert Faginski, Esquire, appeared on behalf of the Petitioners as Mr. Berger was not available. Following is a synopsis of the combined testimony.

Testimony indicated that the subject property, located on Joppa Road, 250 feet west of Belair Road, consists of 450 sq.ft. zoned B.L.-C.S.A. and is located within Parcel 2 as shown on Petitioner's Exhibit 1. Petitioners have entered into a contract to lease the subject property to Penn Advertising of Baltimore, Inc. for purposes of erecting a 12' x 25' double-faced advertising sign of 600 sq.ft. total. Testimony presented indicated the Petitioners have reviewed the special exception requirements of Section 502.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) and that the proposed sign meets the standards set forth therein. Further testimony indicated the relief requested will not result in any detriment to the health, safety or general welfare of the surrounding community.

Mark Miller appeared and testified as a Protestant on behalf of the Perry Hall Improvement Association. Mr. Miller testified there was already too much congestion in the area and that the proposed sign at the subject location would create a traffic hazard.

Numerous Protestants testified and provided exhibits concerning matters of both personal preference and taste and subjects of public safety and health concerns. Most of these concerns involve what is generally referred to as the concept of sign blight. The Protestants made numerous arguments concerning the appropriateness of billboards in this section of the Belair Road corridor and in Perry Hall in particular. They also spent a great deal of time arguing that the sign regulation should be amended and is not strong enough to protect the communities.

In particular, the Protestants testified concerning the safety of the motoring public and the impact of this sign upon individuals driving both on Joppa and Belair Roads. The Protestants also provided extensive testimony concerning the effect the sign would have at the intersection of Joppa and Belair Roads upon northbound Belair Road traffic making left turns onto Joppa Road.

It is clear that the B.C.Z.R. permits the use proposed in a B.L.-C.S.A. zone by special exception. However, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. In the opinion of the Zoning Commissioner, the evidence presented is contradicting and in conflict with the special exception requirements of Section 502.1. The Petitioner has not met his burden of showing that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances presented indicate that the proposed use at the particular location described by Petitioner's Exhibit 1 would have an adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pruitt, 432 A.2d 1319 (1981).

After reviewing all of the testimony and evidence presented, it appears that the special exception should be denied.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested in the special exception should be denied.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 12th day of July, 1991 that the Petition for Special Exception to permit two (2) illuminated 12' x 25' advertising signs on the subject property, in accordance with Petitioner's Exhibit 1, be and is hereby DENIED.

JRH:bjs

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date 7/12/91
By [Signature]

ORDER RECEIVED FOR FILING
Date 7/12/91
By [Signature]

ORDER RECEIVED FOR FILING
Date 7/12/91
By [Signature]

ORDER RECEIVED FOR FILING
Date 7/12/91
By [Signature]

Baltimore County
Fire Department
700 East Joppa Road, Suite 901
Towson, Maryland 21204-3500
(301) 887-4500

Paul H. Rebeck
Chief

NOVEMBER 21, 1990



Dennis F. Eastman
County Executive

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: WILLIAM PETERSON

Location: N/S JOEPA ROAD

Item No.: 190 Zoning Agenda: NOVEMBER 20, 1990

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *Paul H. Rebeck* Noted and Approved *Paul H. Rebeck*
Planning Group Fire Prevention Bureau
Special Inspection Division

JK/KEK

received
11/24/90

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

NOVEMBER 15, 1990

received
11/21/90

TO: J. ROBERT HAINES, ZONING COMMISSIONER, DEPARTMENT ZONING

FROM: CHARLES E. BURNHAM, PLANS REVIEW CHIEF, DEPARTMENT OF PERMITS & LICENSES

SUBJECT: ZONING ITEM #: 190
PROPERTY OWNER: L&B Owner: Wm. Peterson, et ux
Contract Purchaser: Penn Advertising of Baltimore, Inc.
LOCATION: N/S Joppa Road, 230' W centerline of Belair Road
ELECTION DISTRICT: 11th
COUNCILMANIC DISTRICT: 6th

A REVIEW OF THE SITE PLAN FOR THE ABOVE ZONING ITEM INDICATES THE FOLLOWING:

() PROPOSED SITE PLAN DOES, DOES NOT, COMPLY TO STATE CODE OF MARYLAND REGULATION 05.01.07, MARYLAND BUILDING CODE FOR THE HANDICAPPED.

() PARKING LOCATION () RAMP (degree slope)
() NUMBER PARKING SPACES () CURB CUTS
() BUILDING ACCESS () SIGNAGE

() PLAN DOES, DOES NOT COMPLY TO SET BACKS FOR EXTERIOR FIRE SEPARATION DISTANCE OF ARTICLE 5 AND ARTICLE 9 OF THE CURRENT BALTIMORE COUNTY BUILDING CODE.

(X) A BUILDING PERMIT IS REQUIRED BEFORE ANY CONSTRUCTION CAN BEGIN. SECTION 111.1 OF ARTICLE 1. CONSTRUCTION DRAWINGS MAY BE REQUIRED.

() A CHANGE OF OCCUPANCY PERMIT IS REQUIRED TO CHANGE THE EXISTING USE OF THE STRUCTURE TO THE PROPOSED USE. SEE ARTICLE THREE AND ARTICLE ONE, SECTION 103.2 ALTERATIONS MAY BE NECESSARY BY CODE TO COMPLY TO NEW USE REQUIREMENTS.

() STRUCTURE IS SUBJECT TO FLOOD PLAIN LIMITATIONS, SECTION 516.0 COUNCIL BILL #158-88 (BALTIMORE COUNTY BUILDING CODE).

(X) OTHER - All signs shall comply to Article 29 as amended by Council Bill #158-88.

PERMITS MAY BE APPLIED FOR @ ROOM 100, 111 WEST CHESAPEAKE AVENUE, TOWSON, MARYLAND 21204 - PHONE - 887-3900.

THIS REVIEW COVERS ONLY MAJOR ITEMS ASSOCIATED WITH THE SITE PLAN. A FULL REVIEW MAY BE CONDUCTED WHEN THE PERMIT APPLICATION AND PLANS ARE SUBMITTED.

APPLICABLE CODE: 1987 NATIONAL BUILDING CODES AS ADOPTED BY COUNCIL BILL #158-88.

Baltimore County Government
Department of Public Works
Bureau of Traffic Engineering

691 Bosley Avenue Suite 105
Towson, MD 21204

887-3554
Fax 887-5781

December 10, 1990

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 165, 166, 171, 173, 179, 183, 185, 190, 191, 192 and 197.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Associate II

MSF/lab

received
12/13/90

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

July 2, 1991

887-3353

Ms. Donna Hayward
Penn Advertising of Baltimore, Inc.
3001 Remington Avenue
Baltimore, Maryland 21211

RE: Petitions for Special Exception
Rosville Associates Ltd. Part. - Case No. 91-207-X
William Peterson - Case No. 91-208-X

Dear Ms. Hayward:

As a follow-up to our telephone discussion on June 20, 1991, this office is still awaiting written documentation from you that the advertising and posting fees due in the above-referenced matters have been paid. You indicated at that time that you would submit copies of the certified cash receipts; however, no such copies have been received to date. As previously advised, the decisions in both matters will be held in abeyance until such time as said fees are paid or proof of payment is received by this Office.

Enclosed for your reference are copies of the billing letters issued Penn Advertising in both matters. In the event you have any questions concerning the billing amount, please contact our Docket Clerk, Ms. Gwendolyn Stephens, at 887-3391. Thank you for your cooperation in this matter.

Very truly yours,

Bette J. Schumann
BETTE J. SCHUMANN
Zoning Commissioner's Office

bjs

cc: Albert Faginski, Esquire
Stuart Berger, Esquire
Weinberg & Green, 100 S. Charles Street, Baltimore, Md. 21201

Case Files (2)

BALTIMORE COUNTY, MARYLAND

Inter-office Correspondence

TO: Gwen Stephens

DATE: April 3, 1991

FROM: J. Robert Haines
Zoning Commissioner

SUBJECT: Case No. 91-207X
Rosville Assoc. Ltd. Partnership
Case No. 91-208X
William Peterson, et al

Prior to resetting the above captioned cases, counsel for the Petitioner must file a formal Motion requesting that this matter be reset. Additionally, all outstanding fees must be paid. If the Motion is granted, all Protestants listed on the Protestant's Sign In Sheet located in case file No. 91-208-X must be notified in writing of the new date.

Thank you for your attention to this matter.

JRH:mmn

BALTIMORE COUNTY, MARYLAND

Inter-Office Memorandum

DATE: March 28, 1991

TO: Memo to the files

FROM: J. Robert Haines
Zoning Commissioner

SUBJECT: Case Nos. 91-207-X and 208-X

In response to Mr. Berger's request for a postponement of the above cases, a call was made to notify him that it was too late to postpone the cases ---that someone would have to appear on behalf of the Petitioner in case Protestants showed up. He was advised that testimony would be taken of any Protestants who wished to testify. On the day of the hearing, I would agree to a postponement of the two cases and that I would also invite the Protestants to come back when a new hearing date was set.

JRH:mmn

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

September 5, 1991

Baltimore County Board of Appeals
County Office Building, Room 315
Towson, Maryland 21204

RE: Petition for Special Exception
N/S Joppa Road, 250' W of the c/1 of Belair Road
11th Election District, 6th Councilmanic District
WILLIAM PETERSON - Petitioner
Case No. 91-208-X

Dear Board:

Please be advised that an appeal of the above-referenced case was filed in this office on August 8, 1991 by Fred M. Lauer, Attorney on behalf of Penn Advertising of Baltimore, Inc.. All materials relative to the case are being forwarded herewith.

Please notify all parties to the case of the date and time of the appeal hearing when it has been scheduled. If you have any questions concerning this matter, please do not hesitate to contact this office.

Very truly yours,

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner

JRH:cer

Enclosures

cc: William Peterson, 1045 Marleigh Circle, Towson, MD 21204

Stuart R. Berger, Esquire - Weinberg & Green
100 S. Charles Street, Baltimore, MD 21201

Donna Hayward - Penn Advertising of Baltimore, Inc.
P.O. Box 4868, Baltimore, MD 21211

Fred M. Lauer, Esquire - Penn Advertising of Baltimore, Inc.
P.O. Box 4868, Baltimore, MD 21211

Appeal Cover Letter - Case No. 91-208
William Peterson - Petitioner
September 4, 1991
Page 2

Mark Miller - Perry Hall Improvement Association
4107 Loch Lomond Drive, Perry Hall, MD 21128

Mr. & Mrs. George Wilson, 4517 Forge Road, Perry Hall, MD 21128

Moses L. Gwynn, 4806 Forge Road, Perry Hall, MD 21128

James L. Harvey, 9712 Cross Road, Perry Hall, MD 21128

Mr. & Mrs. Maurice Raab, 4202 Raab Avenue, Baltimore, MD 21236

Mary Emerick and Susan Thompson
for Councilman Gardina

Doug Behr, 7451 Bradshaw Road, Kingsville, MD 21087

Susan Dobry, 4015-A Perry Hall Road, Perry Hall, MD 21128

Robin Beers, 12442 Jerusalem Road, Kingsville, MD 21087

Richard Caton, 4219 Haycoke Road, Baltimore, MD 21236

People's Counsel of Baltimore County
Rm. 304, County Office Bldg., Towson, Md. 21204

File

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



111 West Chesapeake Avenue
Towson, MD 21204

887-3353

December 17, 1990

Donna Hayward
Penn Advertising of Baltimore, Inc.
3001 Remington Avenue
Baltimore, Maryland 21211

Re: Case Numbers: 91-207-X and 91-208-X
Contract Purchaser: Penn Advertising
Owner: Rossville Associates (91-207-X)
Owner: William Peterson, et ux (91-208-X)

POSTPONEMENT OF JANUARY 30, 1991 HEARING DATE

Dear Ms. Hayward:

This to confirm your postponement request with regard to the above captioned matters. Accordingly, both cases have been pulled from the January 30, 1991 docket and will be rescheduled at a later date.

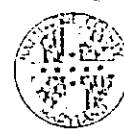
If you have any questions, please feel free to contact me.

Very truly yours,

J. Robert Haines
(301) 887-3391

cc: Stuart Berger, Esq.
Rossville Associates, Limited Partnership
William Peterson, et ux

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



111 West Chesapeake Avenue
Towson, MD 21204

887-3353

July 12, 1991

Albert Faginski, Esquire
Weinberg & Green
100 S. Charles Street
Baltimore, Maryland 21201

RE: PETITION FOR SPECIAL EXCEPTION
N/S Joppa Road, 250' W of the C/I of Belair Road
11th Election District- 6th Councilmanic District
William Peterson - Petitioner
Case No. 91-208-X

Dear Mr. Faginski:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Exception has been denied in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,
J. Robert Haines
Zoning Commissioner
for Baltimore County

JRH:bjs

cc: Mr. Mark Miller
4107 Loch Lomond Drive, Perry Hall, Md. 21128

Mr. & Mrs. George Wilson
4517 Forge Road, Perry Hall, Md. 21128

Mr. Moses L. Gwynn
4806 Forge Road, Perry Hall, Md. 21128

Mr. James L. Harvey
9712 Cross Road, Perry Hall, Md. 21128

Mr. & Mrs. Maurice Raab
4205 Baab Avenue, Baltimore, Md. 21236

Ms. Mary Emerick and Ms. Susan Thompson
for Councilman Gardina

Mr. Doug Behr, 7451 Bradshaw Road, Kingsville, Md. 21087

Ms. Susan Dobry, 4015-A Perry Hall Road, Perry Hall, Md. 21128

Ms. Robin Beers, 12442 Jerusalem Road, Kingsville, Md. 21087

Mr. Richard Caton, 4219 Haycoke Road, Baltimore, Md. 21236

People's Counsel

File

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner

DATE: January 31, 1991

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: IDA Limited Partnership, Item No. 200

The petitioner requests a Special Exception for an illuminated 12' X 25' advertising sign.

Staff believes the control of outdoor advertising signs is essential in protecting the health, safety and welfare of the citizens of Baltimore County. In certain locations, the unique scale and design of outdoor advertising signs clearly compromises public safety and traffic safety, since these signs are distracting. The very purpose of an outdoor advertising sign is to attract the attention of the operators of motor vehicles, so that a commercial message is noticed.

This office recognizes that high standards for signs enhances the aesthetic appearance of the community and the ability of the commercial sector to thrive in an attractive environment.

In many commercial areas it is difficult to locate commercial uses: not because of a general lack of signs, but because of excessive sign size, which has been exacerbated by competitive waste. In many areas of the county, some business people increase signage in order to compete with each other for attention.

The Baltimore County Master Plan makes several references to the importance of controlling signage, specifically on Page 74, in the following issue is identified:

"The sign regulations need to be completely updated and revised. The regulations should distinguish between new and existing signs, as well as public and private signage. Incentives for...phasing out nonconforming uses should be evaluated. Compliance with adopted local community plans should also be considered."

On Page 116 of the Master Plan the following short-term action is called for in the Eastern Sector:

"Clear up signage to reduce clutter and to provide adequate directional signage."

County Board of Appeals of Baltimore County



COUNTY OFFICE BUILDING, ROOM 315
111 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
Hearing Room -
Room 48, Old Courthouse
400 Washington Avenue
(301) 887-3180
January 13, 1992

NOTICE OF ASSIGNMENT
NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c). COUNTY COUNCIL BILL NO. 53-79.

CASE NO. 91-208-X WILLIAM PETERSON
N/S Joppa Rd., 250' W of C/I
Belair Road
11th Election District;
6th Councilmanic District
SE-2 illuminated adv. signs
7/12/91 - Z.C.'s Order DENYING
Petition.

ASSIGNED FOR: WEDNESDAY, MARCH 18, 1992 AT 10:00 a.m.

cc: William Peterson - Petitioner
Stuart R. Berger, Esquire - Counsel for Petitioner
Donna Hayward - Penn Advertising - Contract Purchaser
Fred W. Lauer, Esquire - Counsel for Contract Purchaser
Mr. Mark Miller
Mr. and Mrs. George Wilson
Mr. Moses L. Gwynn
Mr. James L. Harvey
Mr. and Mrs. Maurice Raab
Mr. Doug Behr
Ms. Susan Dobry
Robin Beers
Ms. Dorothy S. McMann
Mr. Richard Caton
Mary Emerick and Susan Thompson
People's Counsel for Baltimore County
P. David Fields
Pat Keller
Lawrence E. Schmidt
Timothy M. Kotroco
James E. Dyer
W. Carl Richards, Jr.
Docket Clerk - Zoning
Arnold Jablon, Director of Zoning
Administration
LindaLee M. Kuszmaul
Legal Secretary

County Board of Appeals of Baltimore County



OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

April 1, 1992

Fred M. Lauer, Esquire
Penn Advertising of Baltimore, Inc.
P.O. Box 4858
Baltimore, MD 21211

RE: Case No. 91-208-X
William Peterson

Dear Mr. Lauer:

Enclosed please find a copy of the final Opinion and Order issued this date by the County Board of Appeals of Baltimore County in the subject matter.

Sincerely,

Kathleen C. Weidenhammer
Administrative Assistant

encl.

cc: Mr. William Peterson
Stuart R. Berger, Esquire
Ms. Donna Hayward /Penn
Advertising of Baltimore, Inc.
Mr. Mark Miller
Mr. & Mrs. George Wilson
Mr. Moses L. Gwynn
Mr. James L. Harvey
Mr. & Mrs. Maurice Raab
Mary Emerick /Susan Thompson
(for Councilman Gardina)
Mr. Doug Behr
Ms. Susan Dobry
Ms. Robin Beers
Ms. Dorothy S. McMann
Mr. Richard Caton
People's Counsel for Baltimore County
P. David Fields
Lawrence E. Schmidt
Timothy M. Kotroco
W. Carl Richards, Jr.
Docket Clerk - Zoning
Arnold Jablon, Director of Zoning Administration

Penn Adv.

PENN ADVERTISING OF BALTIMORE, INC.

August 8, 1991

DELIVERED BY HAND

Zoning Commissioner
County Office Building
Room 113
Towson, Maryland 21204

RE: Petition for Special Exception
N/S Joppa Road, 250' W of the
C/I of Belair Road
11th Election District
6th Councilmanic District
William Peterson, Petitioner
Case No. 91-208-X

Dear Sir/Madam:

Please enter an appeal in the above captioned zoning proceeding on behalf of Penn Advertising of Baltimore, Inc.

Enclosed is a check in the amount of \$200.00 to cover the appeal fee and sign posting.

Thank you for your attention to this matter. Please let me know if any additional information is necessary.

Very truly yours,

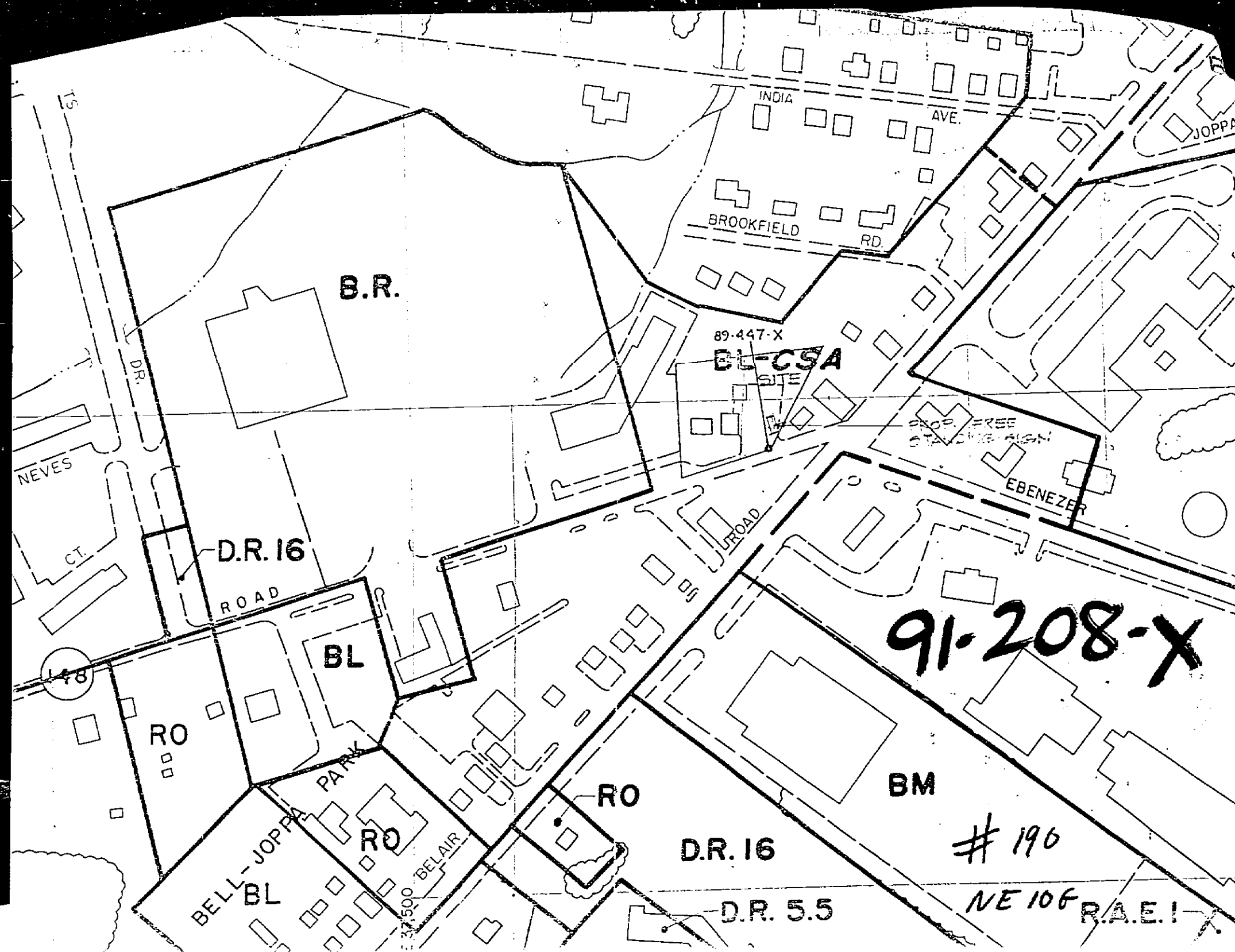
Fred M. Lauer, esq.

FML/adw

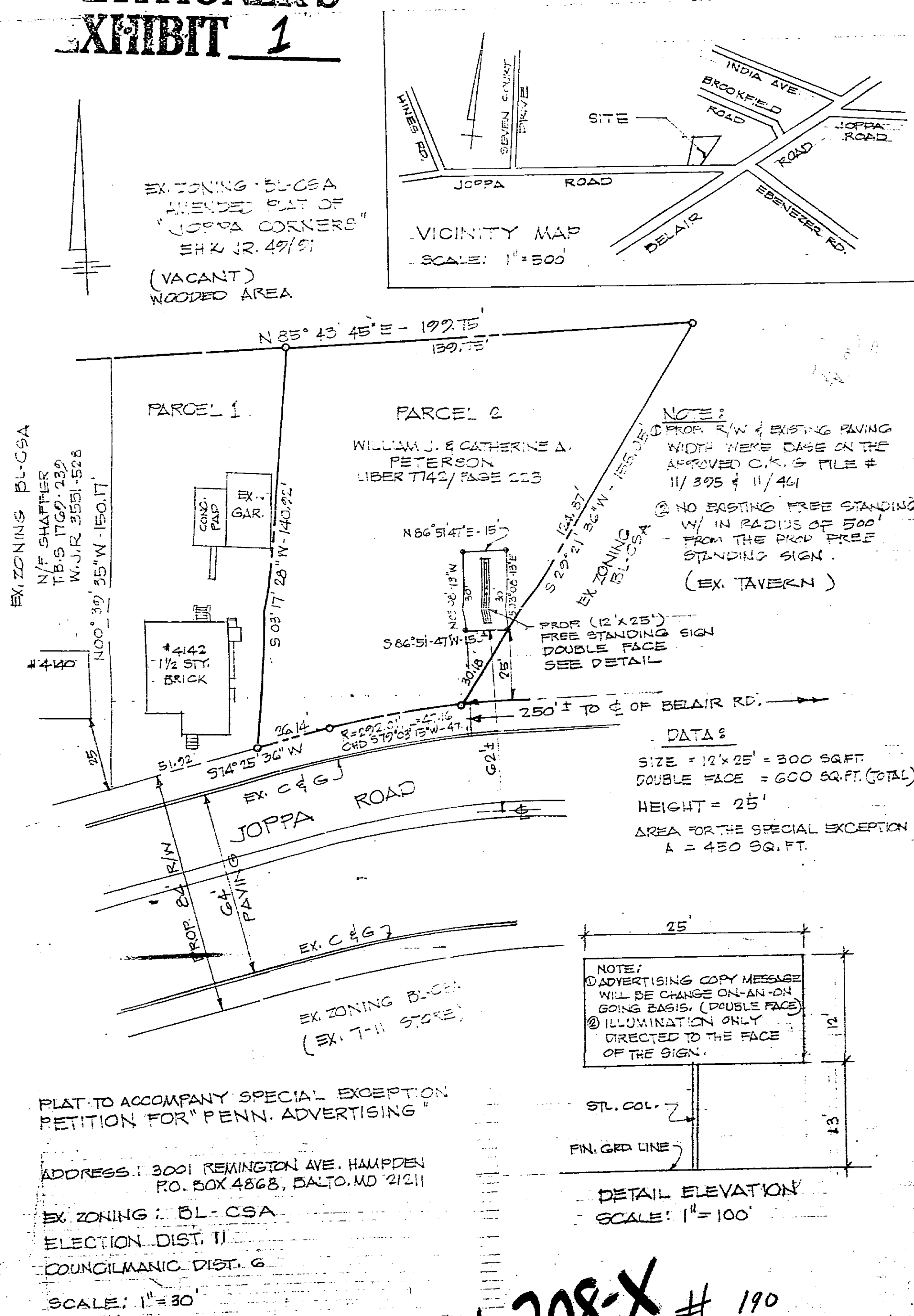
Enclosure(s)

cc: Mr. James W. Fisher, II
Ms. Donna T. Hayward
Mr. William Peterson

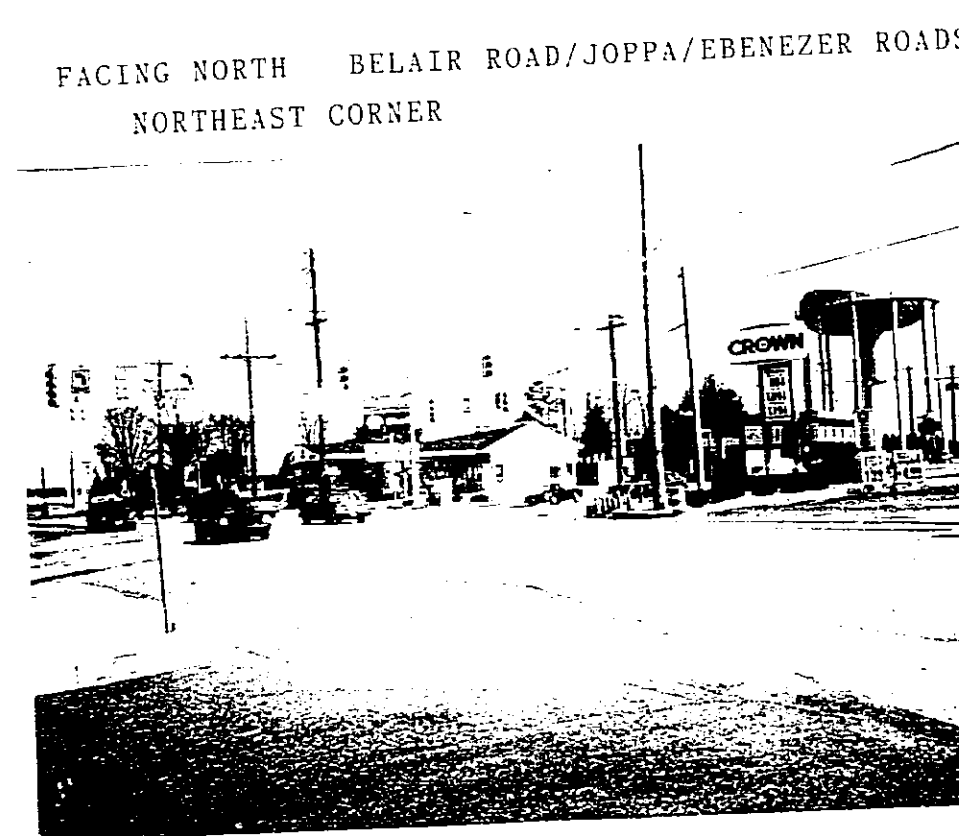
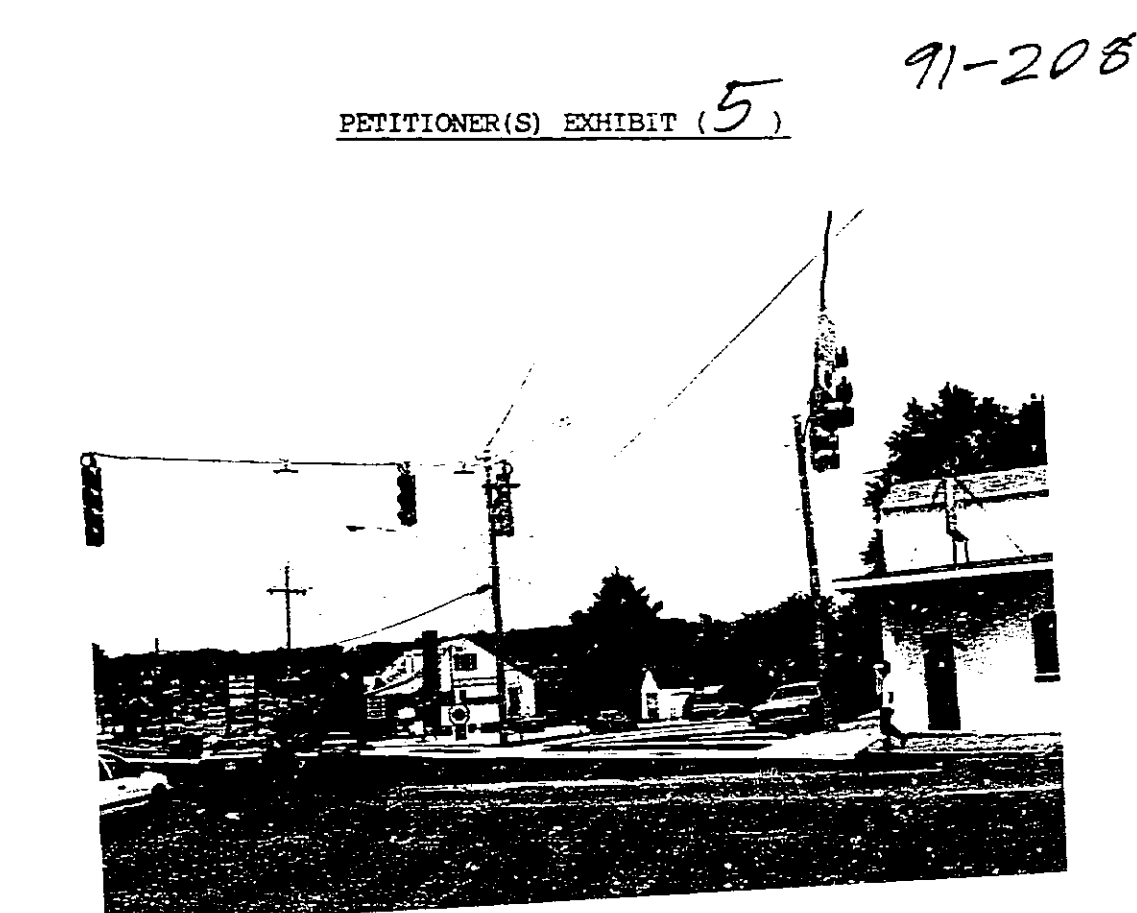
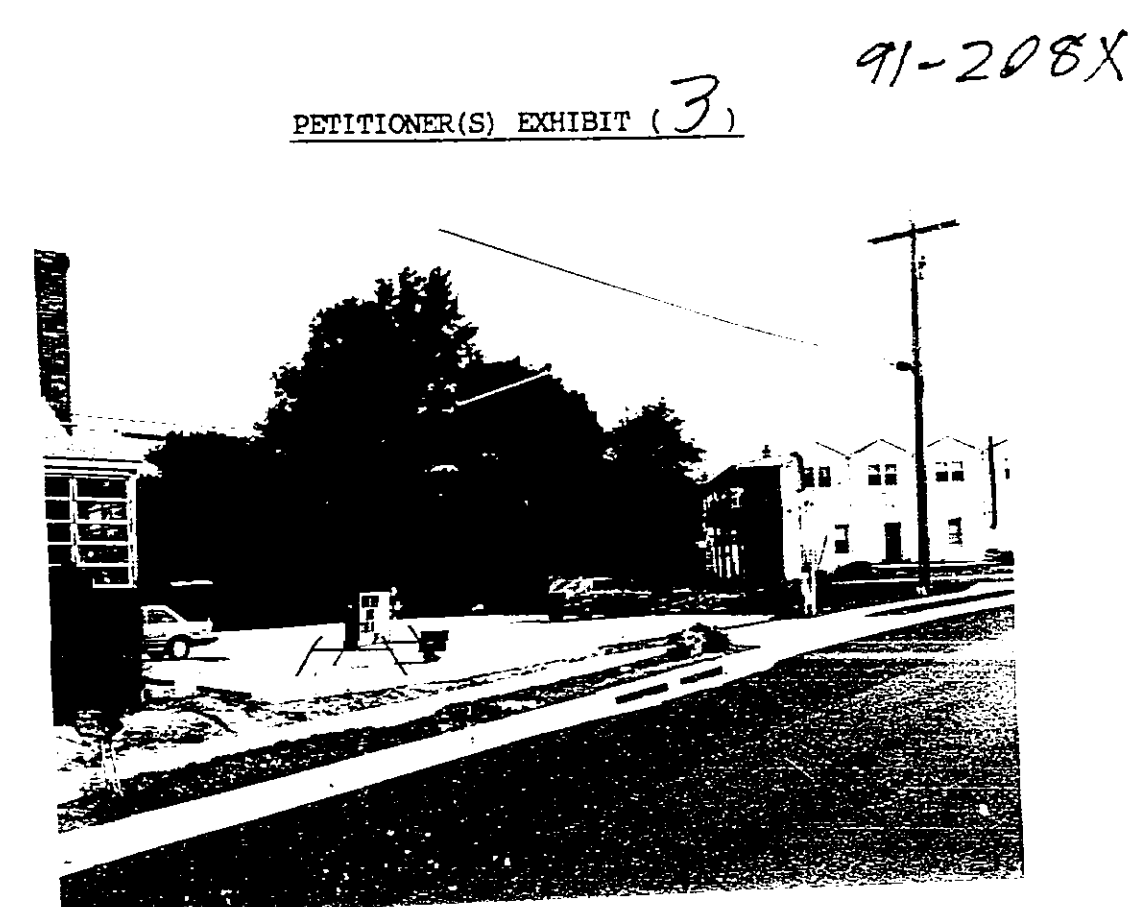
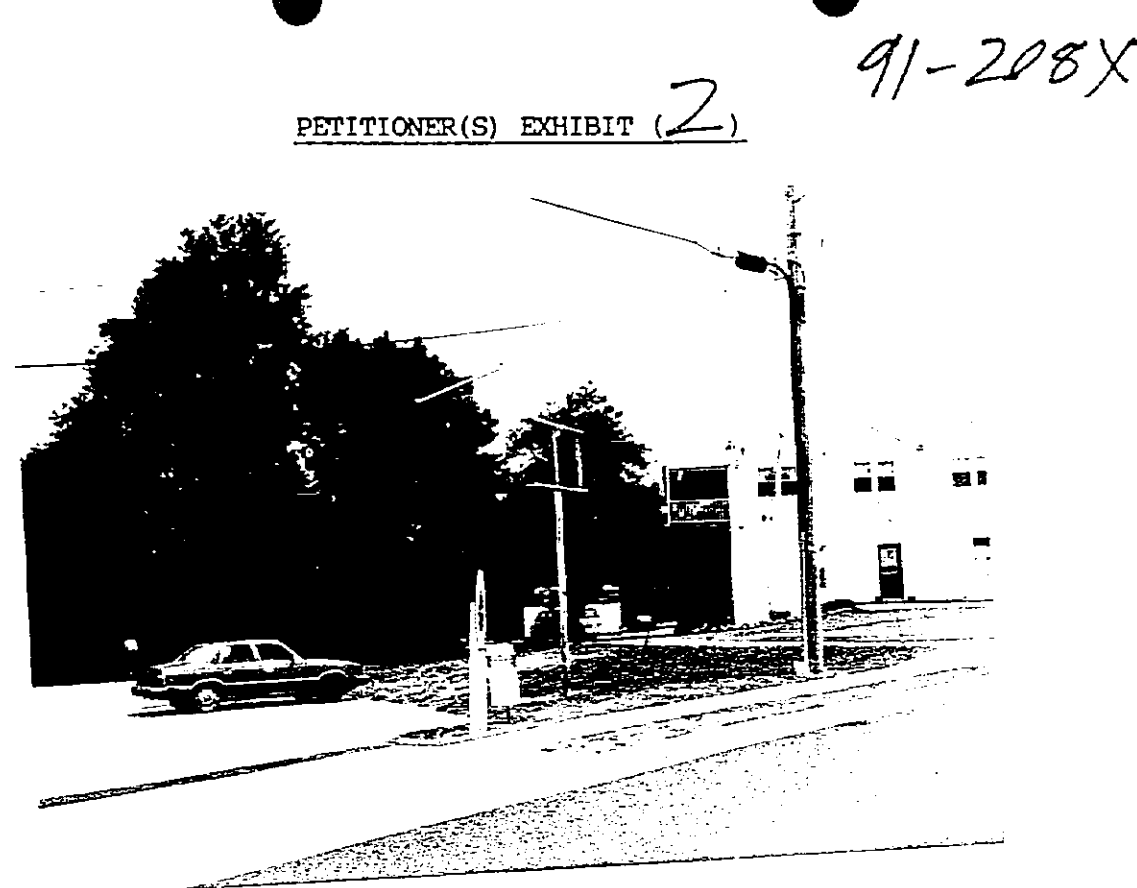
1. <u>Green House</u>	11. <u>Green House</u> 28
2. <u>Green w/ House</u>	12. <u>Green w/ House</u> 21/28
3. <u>Green w/ House</u>	13. <u>Green w/ House</u> 12/28
4. <u>Green w/ House</u>	14. <u>Green w/ House</u> 21/28
5. <u>Green w/ House</u>	15. <u>Green w/ House</u> 28
6. <u>Green w/ House</u>	16. <u>Green w/ House</u> 28
7. <u>Green w/ House</u>	17. <u>Green w/ House</u> 28
8. <u>Green w/ House</u>	18. <u>Green w/ House</u> 28
9. <u>Green w/ House</u>	19. <u>Green w/ House</u> 28
10. <u>Green w/ House</u>	20. <u>Green w/ House</u> 28



PETITIONER'S EXHIBIT 1



91-208-X #190



PROTESTANT'S EXHIBIT 1



PROTESTANT'S EXHIBIT 3

JOPPA ROAD AT BELAIR NORTHWEST CORNER
WHERE BILLBOARD WILL BE PLACED



PROTESTANT'S EXHIBIT 5

91-208X

FACING NORTH AT BELAIR/JOPPA/EBENEZER ROADS



PROTESTANT'S EXHIBIT 2

91-208X

SOUTH-EAST BELAIR AND EBENEZER ROADS



PROTESTANT'S EXHIBIT 4

91-208X

JOPPA ROAD AT BELAIR ROAD NORTHWEST CORNER
WHERE BILLBOARD WILL BE PLACED



PROTESTANT'S EXHIBIT 6

91-208X

Accepted Transact Ex #1

DATE: 3-18-82

PEOPLE'S COUNSEL'S SIGN IN SHEET

CASE: PETERSON # 91-268-X

The Office of People's Counsel was created by County Charter to participate in zoning matters on behalf of the public interest. While it does not actually represent community groups or protestants, it will assist in the presentation of their concerns if they do not have their own attorney. If you wish to be assisted by People's Counsel, please sign below.

Check if you wish to testify.	Name/Address Phone No.	Community Group You Represent? Basin of Your Concerns
✓	Wootley, S. L. K. Marine 258-4341	Police & Union of Community Living Hall Improvement Assoc.
✓	George W. Wilson	Safety
	258-4241 E. 10th St. To Home	Police Police Dept. & Police Assoc.
✓	William H. Pauls	Safety
✓	Mark Wilson	Police & Union of Community
	258-3324 John J. Van Liering	Police & Union of Community Living Hall Improvement Assoc.
	John & Patricia Raab	Police & Union of Community
	Bob Butler	Living Hall Improvement Assoc.

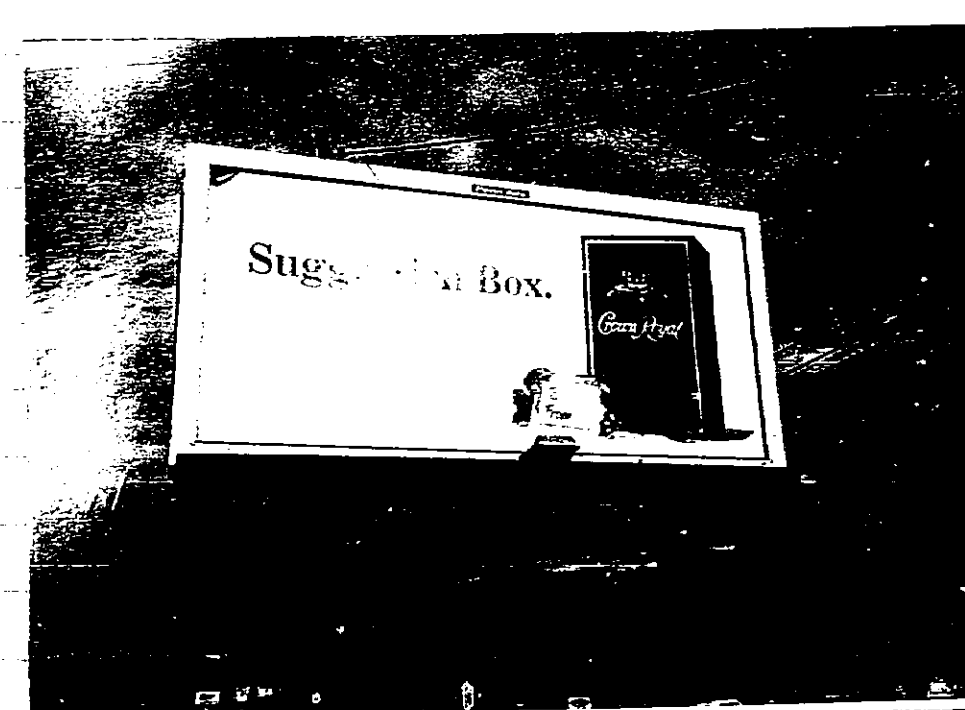
BILLBOARD LOCATED AT 9800 BELAIR
ROAD

PC 2A

SIGN # 03850



SIGN #03851



SITE OF PROPOSED SIGN
JOPPA AND BELAIR ROADS

PC 2B



BILLBOARD LOCATED AT 8833
BELAIR ROAD

SIGN #03950

PC ~~33~~
26



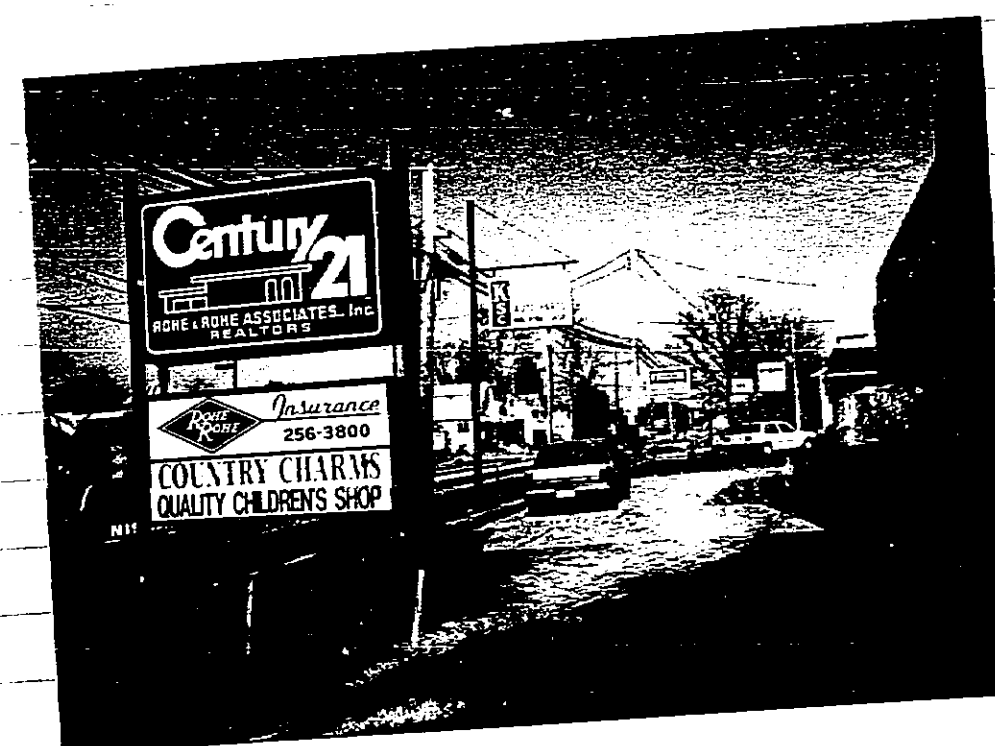
SIGNS IN 9000 BLOCK BELAIR ROAD
SAME BLOCK PROPOSED BILLBOARD

PC 2.6



SIGNS IN 9000 BLOCK BELAIR ROAD
SAME BLOCK PROPOSED BILL BOARD

PC 913



BILL BOARD LOCATED AT RIDGE
ROAD AND BELAIR ROAD

SIGN # 59180

PC 2.5E



SIGN # 59181



BILLBOARD LOCATED AT 8833 BELAIR
ROAD

SIGN #03950

PC ~~2~~
ZF



SIGN # 03900



BILLBOARD LOCATED AT 8833 BELAIR ROAD
SIGN # 03950 PC 024



SIGN # 03900



BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines DATE: March 6, 1991
Zoning Commissioner

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: William Peterson, Item No. 190
#93-208-X

The Petitioner requests a Special Exception for an illuminated 12' X 25' advertising sign.

Staff believes the control of outdoor advertising signs is essential in protecting the health, safety and welfare of the citizens of Baltimore County. In certain locations, the unique scale and design of outdoor advertising signs clearly compromises public safety and traffic safety, since these signs are distracting. The very purpose of an outdoor advertising sign is to attract the attention of the operators of motor vehicles, so that a commercial message is noticed.

This office recognizes that high standards for signs enhance the aesthetic appearance of the community and the ability of the commercial sector to thrive in an attractive environment.

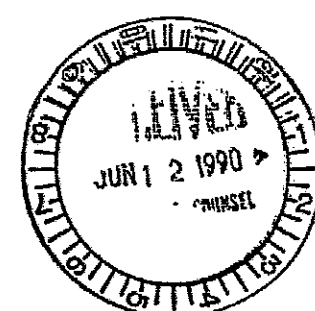
In many commercial areas it is difficult to locate commercial uses: not because of a general lack of signs, but because of excessive sign size which has been exacerbated by competitive waste. In many areas of the county, some business people increase signage in order to compete with each other for attention.

The Baltimore County Master Plan makes several references to the importance of controlling signage, specifically on Page 74, in the improving design and development quality aspect of the plan, the following issue is identified:

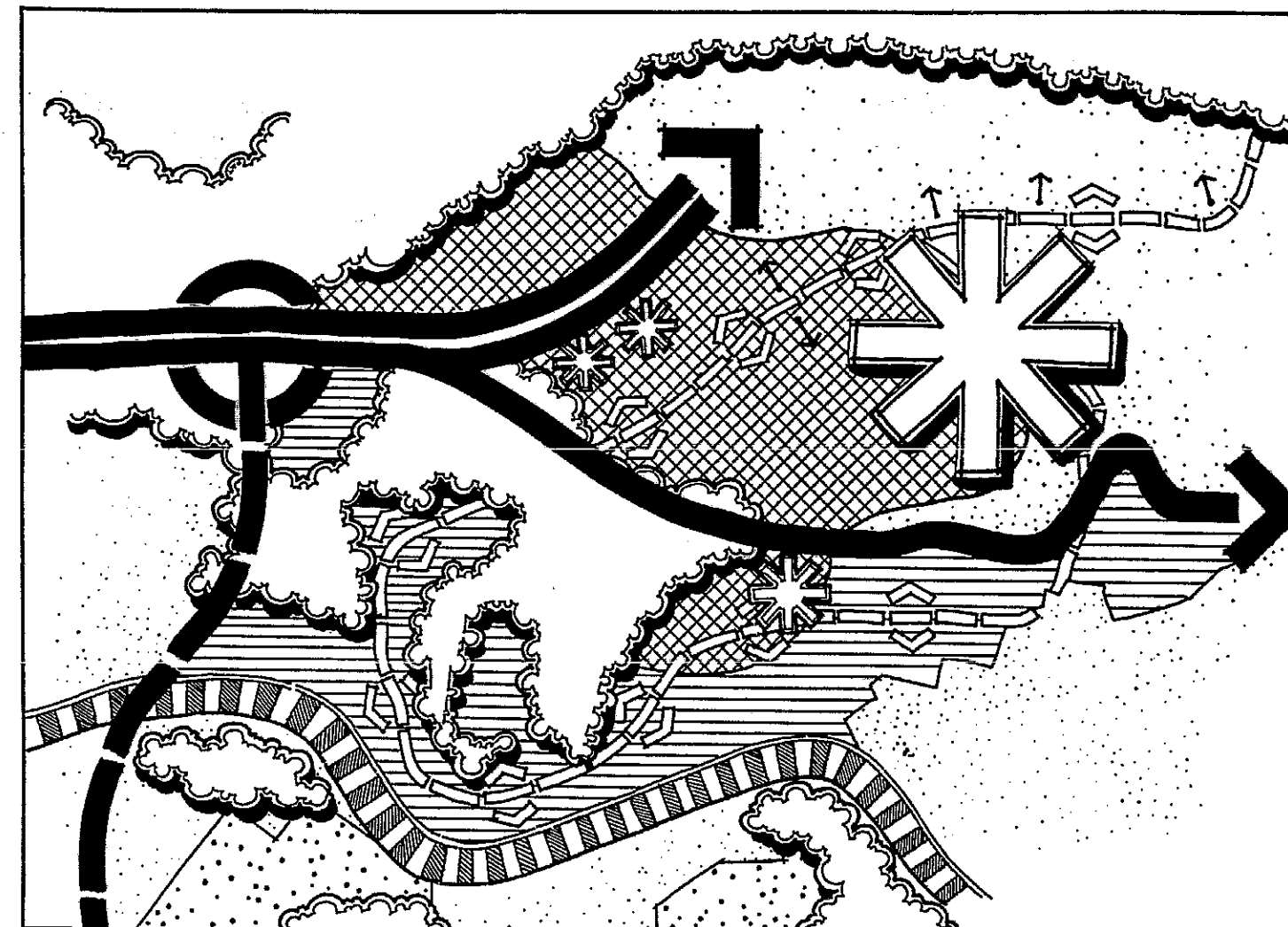
"The sign regulations need to be completely dated and revised. The regulations should distinguish between new and existing signs, as well as public and private signage. Incentives for ... phasing out nonconforming uses should be evaluated. Compliance with adopted local community plans should also be considered."

Wed, June 13, 1992 1:30 pm
Const. 2C Hwy.
People's Counsel
Ex. 3

People's Counsel
Ex. 4



Baltimore County 1989-2000



As adopted February 5, 1990

LOCATION BELAIR RD + EBENEZER RD + JOPPA RD		Weather	Road Surface	Day of the Week	State Signal Number	Date of Count
Recorder	THURSDAY	DRY	THURSDAY	18/9/91	18/9/91	18/9/91
A.M. CT	CT	DRY	DRY	THURSDAY	18/9/91	18/9/91
P.M. CT	CT	DRY	DRY	THURSDAY	18/9/91	18/9/91
PERCENTAGE TURNING MOVEMENTS & TOTAL VOLUMES						
ROAD NAME	BELAIR RD	BELAIR RD	JOPPA RD	EBENEZER RD	N45+E45	
	N BOUND	S BOUND	N BOUND	S BOUND	N BOUND	
TURNING A.M.	L S R TOTAL	L S R TOTAL	L S R TOTAL	L S R TOTAL	L S R TOTAL	
MOVEMENT P.M.	L S R TOTAL	L S R TOTAL	L S R TOTAL	L S R TOTAL	L S R TOTAL	
TOTAL A.M.	50 628 183 973	184 1935 884 3883	411 353 189 873	381 423 91 815	5664	
VOLUMES P.M.	128 2847 118 2285	151 1232 682 1985	933 682 125 1658	238 483 174 895	5492	
GRAND TOTAL	178 2867 221 3258	335 3165 1468 4968	1344 955 234 2533	539 986 265 1710	12497	
ESTIMATED ADT'S	NORTH 31838	SOUTH 23593	EAST 18261	WEST 16711		
ESTIMATED CARS ENTERING THE INTERSECTION 48948						

INTERSECTION: BELAIR RD + EBENEZER RD + JOPPA RD

DESC: BELAIR RD IS A FOUR LANE UNDIVIDED STATE RD WITH A LEFT TURN LANE N/B AND LEFT TURN ARROW S/B. EBENEZER RD IS A TWO LANE COUNTY RD WITH A LEFT AND TWO STRAIGHT LINES N/B. JOPPA RD IS A FOUR LANE COUNTY RD WITH DOUBLE LEFTS AND RIGHT YIELD E/B.

The signal functions as a 4 phase light. The cycle lengths in the morning averages 126 seconds and in the afternoon the cycle length averages approximately 150. The peak hours were 7:15 to 8:15 A.M. and 5:00 to 6:00 P.M. The peak flow occurs on the S/B direction of BELAIR RD during the A.M. peak hour and occurs on the N/B direction of BELAIR RD during the P.M. peak hour.

LOADED CYCLES:

	N/B	S/B	E/B	W/B
% LOADS	N/A	N/A	N/A	N/A
TIME(A.M.)	N/A	N/A	N/A	N/A
% LOADS	34%	N/A	N/A	17%
TIME(P.M.)	5-6	N/A	N/A	5-6

REMARKS:

THE LEVEL OF SERVICE IS D

A = 8% C = 11 - 30% E = 71 - 85%
B = 1 - 10% D = 31 - 70% F = 86 - 100%

For Updated List Y N DATE REVIEWED: APPROVED BY: CHECKED BY:

People's Counsel
Ex. 5A

BALTIMORE COUNTY, MARYLAND
BUREAU OF TRAFFIC ENGINEERING
ACCIDENT DATABASE MANIPULATOR
VERSION 1.00A

REPORT COVER SHEET

OBTAINED ON: Thursday, March 12, 1992 OBTAINED BY: CRM
DATES COVERED: Thursday, January 1, 1987 TO Tuesday, January 1, 1991

USER NOTES

BELAIR RD (US 1) - JOPPA RD (1400) - EBENEZER RD (4076)
ALL ACCIDENTS WITHIN 100 FT.

Search Route	Road Name	Start Mile	End Mile	ADT	MUN
PFX NUMB SFX					
US 0001	BELAIR RD	007.71 to 007.75			
CO 1400	JOPPA RD	000.00 to 000.02			
CO 4076	EBENEZER RD	000.00 to 000.02			
HIT & RUN	3.28%	1.64%	0.00%	OTHER	1.64%
16.03%	16.39%	3.28%	SINGLE VEHICLE	8.20%	
32.79%	1.64%	0.00%	UNKNOWN	0.00%	
0.00%	0.00%	9.84%	TOTAL ACCIDENTS: 61		
1.64%	1.64%	0.00%			

People's Counsel
Ex. 5B

March 17, 1992

County Board of Appeals
400 Washington Avenue
Towson, MD 21204

RE: CASE NUMBER 91-208-X

Dear Sir/Madam:

My name is Edward Schafer. I live at 4140 E. Joppa Road in Perry Hall. I have lived in this house since 1950 which is adjacent to the property requesting the Special Exception. I have lived in the area for 63 years.

I protest the Special Exception that William Peterson is requesting for the erection of 2 illuminated advertising signs near the intersection of Joppa and Belair Roads.

The reason for my opposition is this will add to the clutter in a section that is already loaded with signage for the businesses that are established in this corridor. It is my understanding that the Master Plan calls for limited commercial uses above Joppa Road. This would be a addition of commercial use at the very beginning of the area the county would like to not have heavily commercial.

It will also be a traffic hazard. The signs are designed to attract your eyes. This is a heavily traveled intersection.

I would like the Board to understand that I would be there in person to protest the Special Exception and to present my opposition, but illness prevents me from doing so.

Sincerely,

Edward Schafer
Witness: Dorothy L. McManis

SWORN AND SUBSCRIBED BEFORE ME A NOTARY PUBLIC FOR THE STATE OF MARYLAND, COUNTY OF BALTIMORE APPEARED ONE Edward Schafer THIS 17th DAY OF MARCH, 1992.

My Comm. expires 11/1/93
Chas. Small
4627 E. Joppa Rd
Perry Hall, Md 21221
252-1665 (H)
554-0709 (H)

People's Counsel Ex. 6B

March 17, 1992

County Board of Appeals
Old Courthouse
Room 49
400 Washington Avenue
Towson, MD 21204

RE: CASE NUMBER 91-208-X

To Whom It May Concern:

My name is Anna Schafer. I live at 9000 Belair Road. I have lived here for 65 years and own the business Schafer's Pub, which is adjacent to the property requesting the Special Exception.

I protest the Special Exception that William Peterson is requesting for the erection of the billboard.

I live on the first floor of my establishment and would not like having a illuminated sign next to my home.

This corner is heavily traveled. The sign will be an added distraction to the motorists that use Belair and Joppa Roads.

I would be there personally to present my opposition but I am presently confined to a wheelchair and my mobility is limited.

Sincerely,

Anna Schafer
Anna Schafer

Witness: Dorothy L. McManis

SWORN AND SUBSCRIBED BEFORE ME A NOTARY PUBLIC FOR THE STATE OF MARYLAND, COUNTY OF BALTIMORE APPEARED ONE Anna Schafer THIS 17th DAY OF MARCH, 1992

My Comm. expires November 1, 1993
C. Small
4627 E. Joppa Rd
Perry Hall, Md 21221
252-1665 (H)
554-0709 (H)

People's Counsel Ex. 7

Between December 17, 1991 and March 6, 1992 there have been 17 accidents in close vicinity of Belair Road and Joppa Road. The following is a breakdown of these accidents:

- 11 accidents resulted in property damage
- 5 accidents resulted in personal injury
- 1 accident was a hit and run with personal injury.

In the time frame of December, 1991 to March 6, 1992, in the Belair Road corridor from Silver Spring Road to Pinedale Drive, there have been 28 accidents.

With the ever increasing traffic on Joppa Road and Belair Road I feel that any added distraction is going to be the cause of more accidents.

Page 1 of 3

*** CALL FOR SERVICE LIST ***

People's Counsel Ex. 7
Page 2 of 3

Date Received from: / / Date Received thru: / /
Call Type: Reporting District: Beat:

Type	Date Received	Street Address	Report District Beat
C1	03/06/92	9106 BELAIR RD	08 4123
C1	02/29/92	9502 BELAIR RD	08 4123
C1	02/29/92	SEVENCOURTS DR & KLAUSNIS	08 4123
C1	02/29/92	45 CHESHAM CT	08 4123
C1	02/29/92	SEVENCOURTS DR & PINDALE	08 4123
C1	02/07/92	4142 E JOPPA RD	08 4123
C1	02/04/92	HAGLEST RD & HINES RD	08 4123
C1	01/20/92	E JOPPA RD & SEVENCOURTS	08 4123
C1	01/10/92	4116 PINDALE DR	08 4123
C1	01/02/92	2 BERNADOTTE CT	08 4123

PF: 2/14=Main Menu 3/15=Backtrack 4/16=Command 7/19=Page Back 8/20=Page Fwd

0000017 records found, 017 records returned.

4B

*** CALL FOR SERVICE LIST ***

Date Received from: / / Date Received thru: / /
Call Type: Reporting District: Beat:

Type	Date Received	Street Address	Report District Beat
C1	01/04/92	6 PERRYDAK PL	08 4123
C1	01/02/92	9020 BELAIR RD	08 4123
C1	12/23/91	SEVENCOURTS DR & E JOPPA	08 4123
C1	12/23/91	BELAIR RD & HALBERT AV	08 4123
C1	12/19/91	4126 E JOPPA RD	08 4123
C1	12/17/91	9500 BELAIR RD	08 4123
C1	12/17/91	9500 BELAIR RD	08 4123

PF: 2/14=Main Menu 3/15=Backtrack 4/16=Command 7/19=Page Back 8/20=Page Fwd

0000017 records found, 017 records returned.

4B

*** CALL FOR SERVICE LIST ***

People's Counsel Ex. 7
Page 3 of 3

Date Received from: / / Date Received thru: / /
Call Type: Reporting District: Beat:

Type	Date Received	Street Address	Report District Beat
C1	03/06/92	8644 BELAIR RD	08 4057
C1	03/03/92	8700 BELAIR RD	08 4057
C1	02/25/92	8700 BELAIR RD	08 4057
C1	02/25/92	8650 BELAIR RD	08 4057
C1	02/18/92	8600 BELAIR RD	08 4057
C1	01/09/92	8644 BELAIR RD	08 4057
C1	01/03/92	8644 BELAIR RD	08 4057
C1	12/28/91	8644 BELAIR RD	08 4057
C1	12/23/91	8600 BELAIR RD	08 4057

PF: 2/14=Main Menu 3/15=Backtrack 4/16=Command 7/19=Page Back 8/20=Page Fwd

0000011 records found, 011 records returned.

4B

*** CALL FOR SERVICE LIST ***

Date Received from: / / Date Received thru: / /
Call Type: Reporting District: Beat:

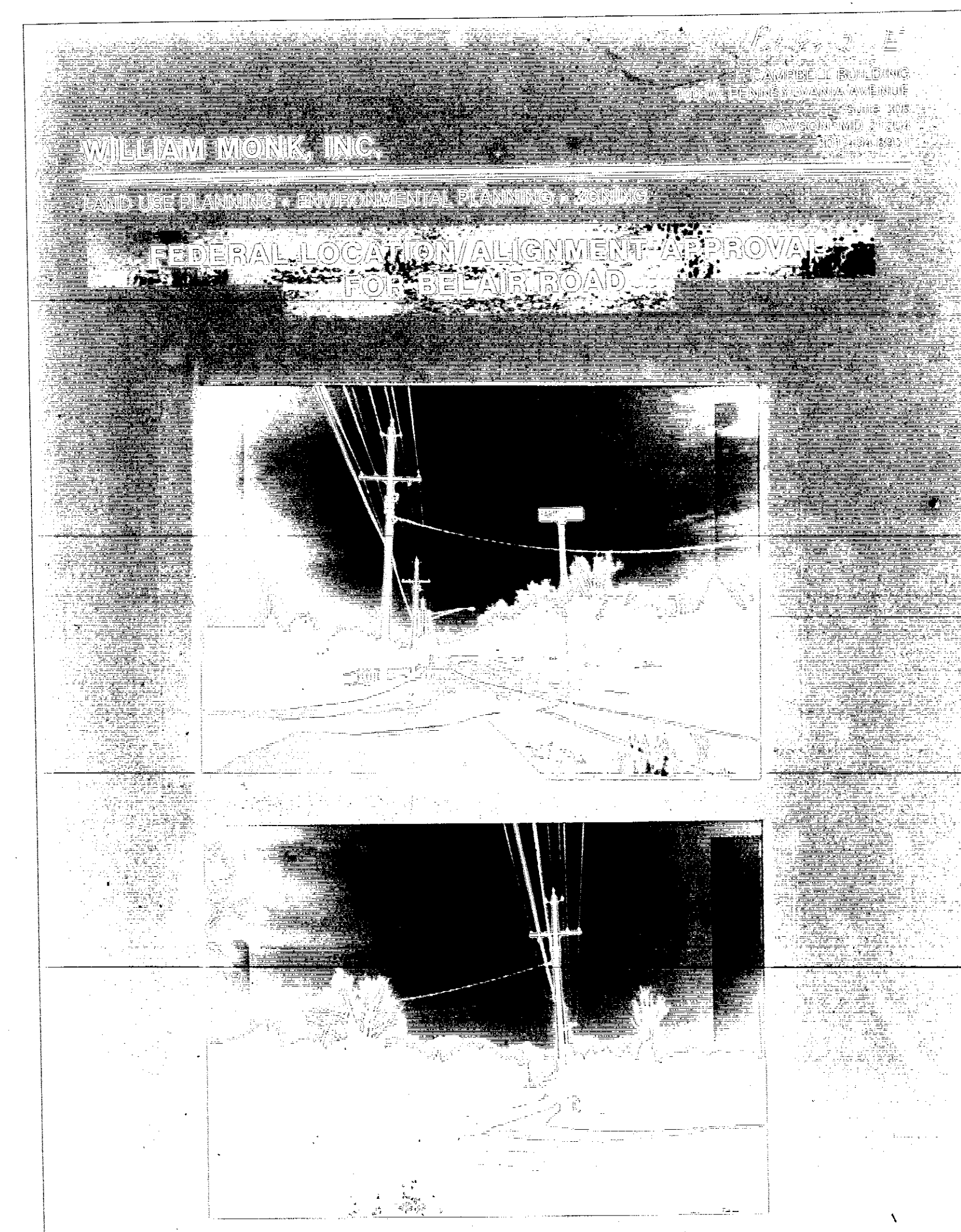
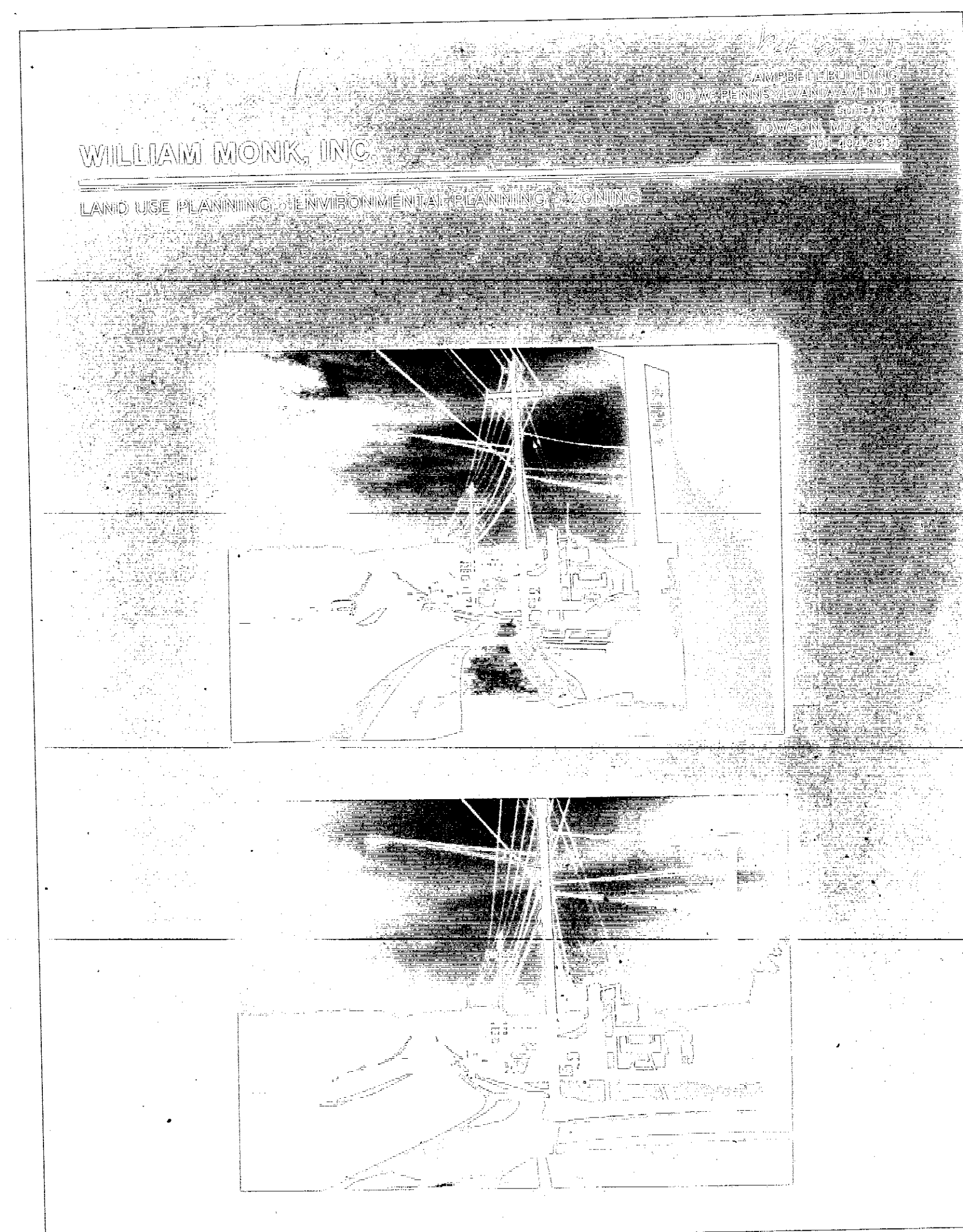
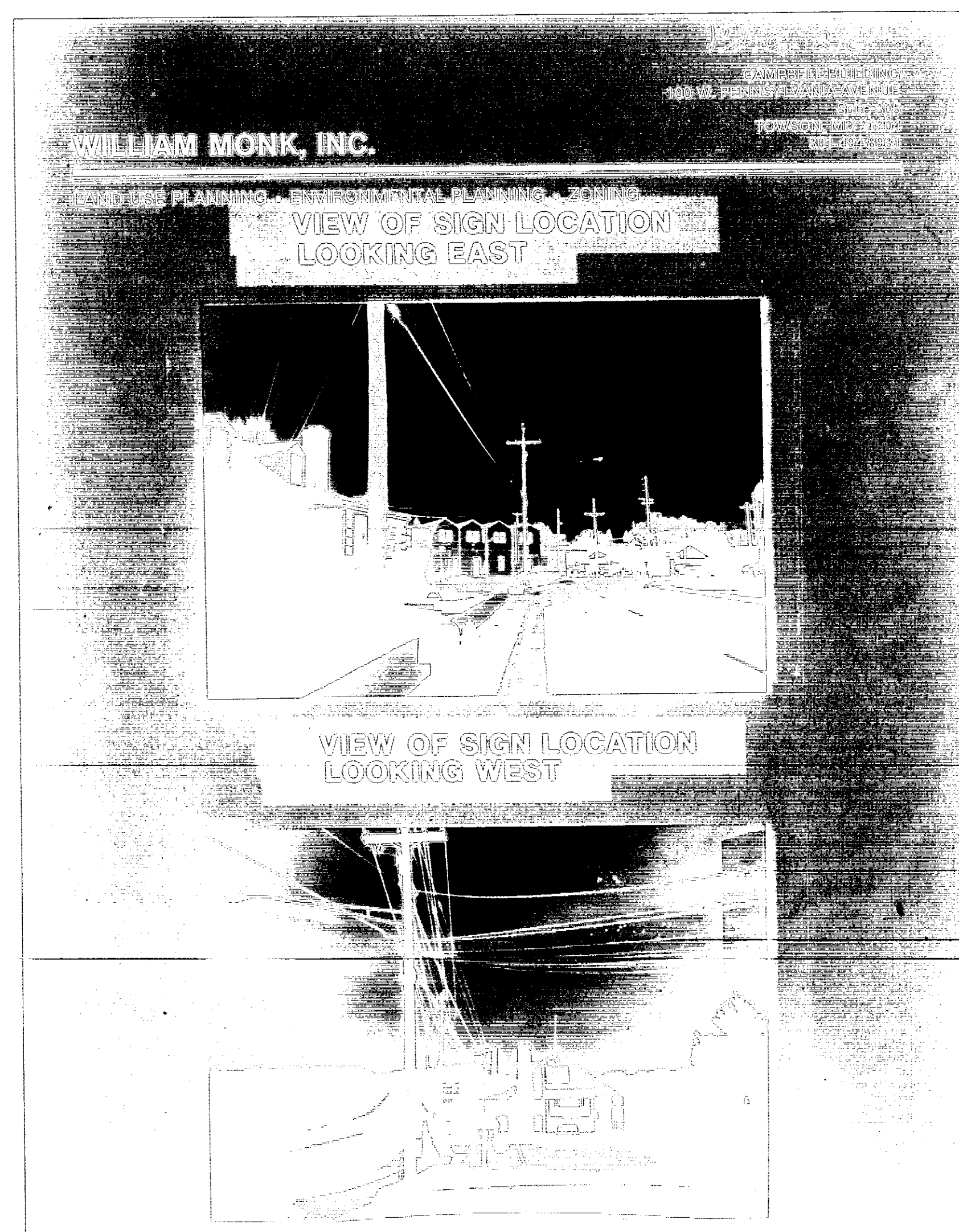
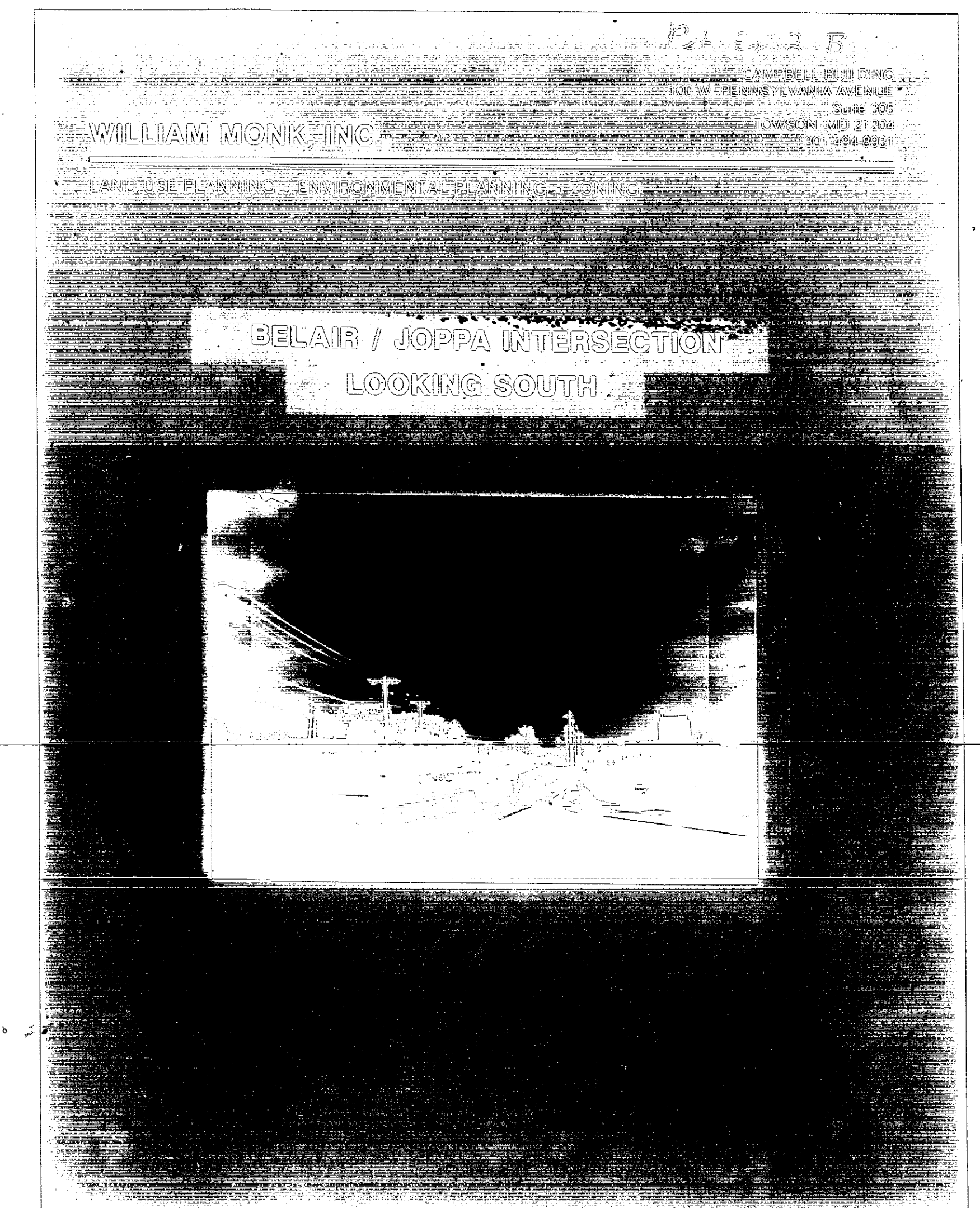
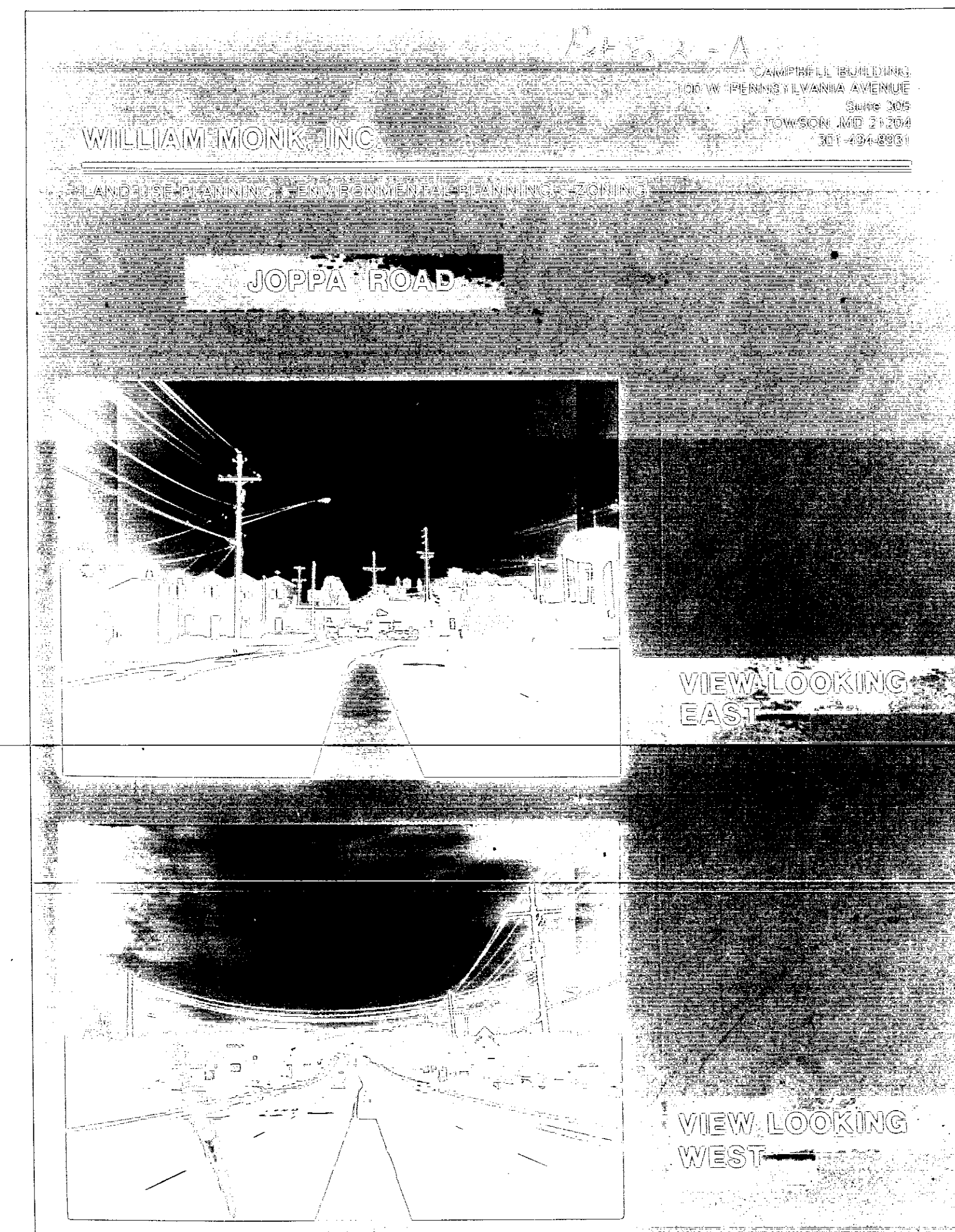
Type	Date Received	Street Address	Report District Beat
C2	12/23/91	8644 BELAIR RD	08 4057

PF: 2/14=Main Menu 3/15=Backtrack 4/16=Command 7/19=Page Back 8/20=Page Fwd

0000011 records found, 011 records returned.

4B

C1 = Auto Accident - Property Damage
C2 = Auto Accident - Personal Injury
C3 = Hit & Run Accident - Property Damage
C4 = Hit & Run Accident - Personal Injury



Pch. Ex. 5

Literature Search

Effect of Outdoor Advertising Signs on Safety

Prepared by: Erdman and Associates, Inc.
March 17, 1992

Pet. Ex #5

- NOTES:
- EXISTING ZONING: BL-CSA
 - PROPOSED ZONING: BL-CSA
 - LOT AREA: 0.64 AC +/- GROSS
 - NET AREA: 0.53 AC +/- NET
 - SPECIAL EXCEPTION: TO PERMIT A FREE STANDING ILLUMINATED OUTDOOR ADVERTISING SIGN
 - VARIANCES: NO VARIANCES REQUIRED
 - EXISTING USE: HAIR SALON (TO REMAIN)
 - PROPOSED USE: OUTDOOR ADVERTISING SIGN
 - PREVIOUS ZONING HEARINGS:
CASE: 89-447-X ORDERED: 10/13/89 SPECIAL EXCEPTION FOR SERVICE GARAGE IN BL ZONE, GRANTED.
CASE: 91-208-X ORDERED: 7/12/91 SPECIAL EXCEPTION FOR TWO 12'x15' ILLUMINATED ADVERTISING SIGNS WAS DENIED. THIS PLAT IS PART OF AN APPEAL TO THIS CASE.

- CRG PLANS: NONE, WAIVERS: NONE
- PREVIOUS COMMERCIAL PERMITS: N/A
 - OWNERSHIP INFORMATION:
PREMISE:
WILLIAM J. & CATHERINE A. PETERSON
4142 E. JOPPA ROAD
BALTIMORE, MD
MAILING ADDRESS:
4 CROTONA COURT
LUTHERVILLE-TIMONIUM, MD 21093
 - DEED REFERENCE: 7742/223
 - TAX MAP: 72, GRID: 7, PARCEL: 857
CENSUS TRACT: 4114.03
 - ELECTION DISTRICT NO. 11
 - COUNTY COUNCIL DISTRICT NO. 6
 - SETBACK REQUIREMENTS (PROPOSED SIGN LOCATION)
FRONT 17.25' (SEE #17) 28' +/-
SIDE 0' 8' +/-
REAR 0' 73' +/-
 - SETBACK AVERAGING COMPUTATIONS:
EXISTING SETBACK
4142 JOPPA ROAD 7' +/-
4140 JOPPA ROAD 27.5' +/-
AVERAGE SETBACK = 34.5' +/-
17.25' +/-

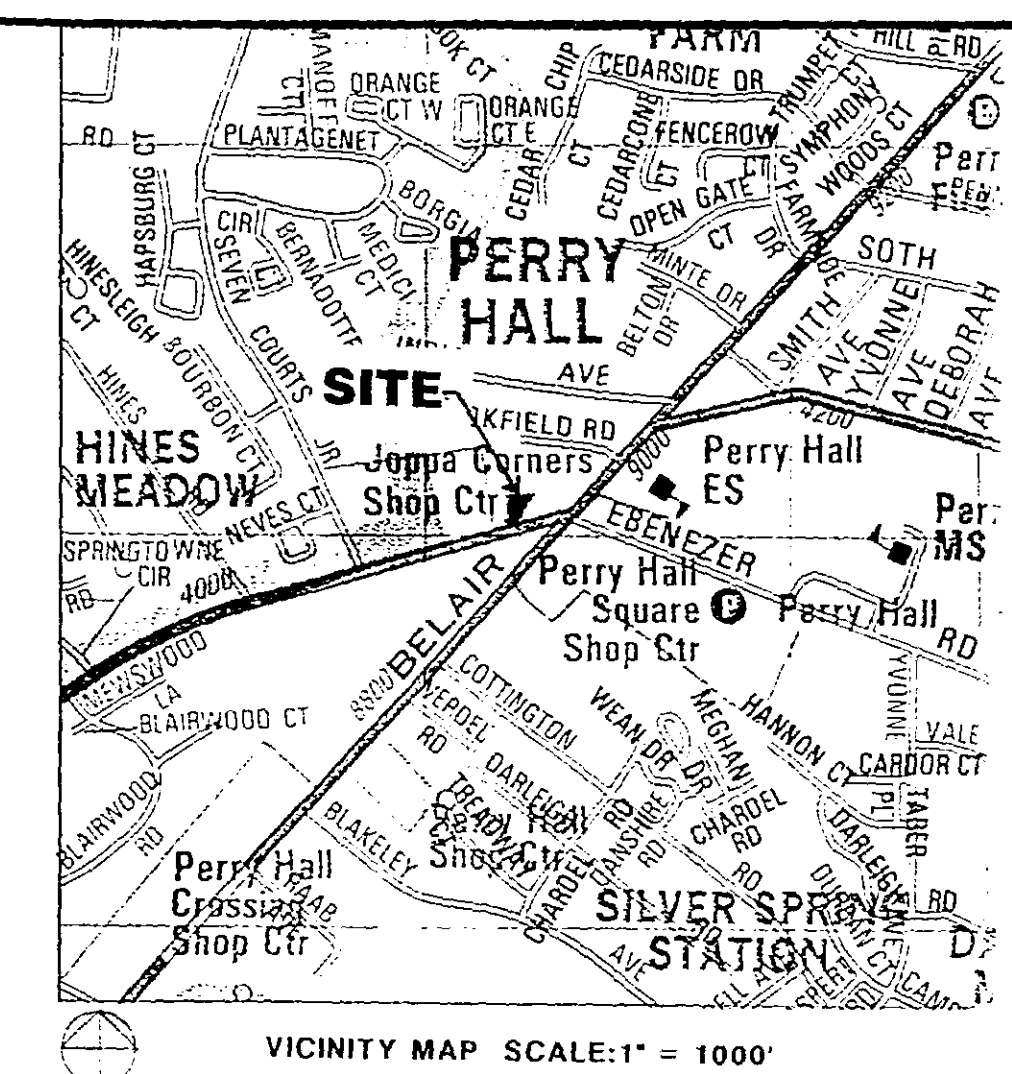
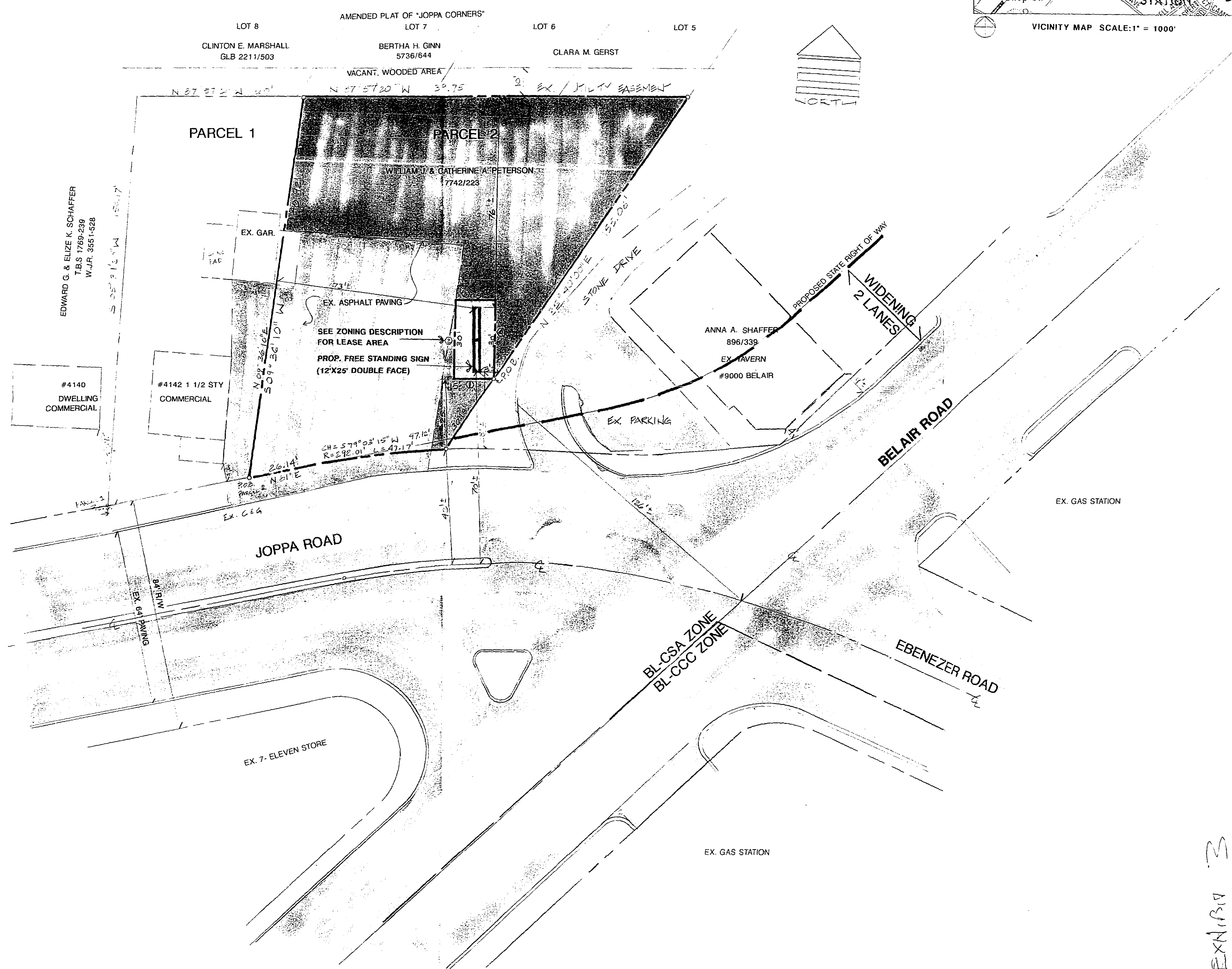
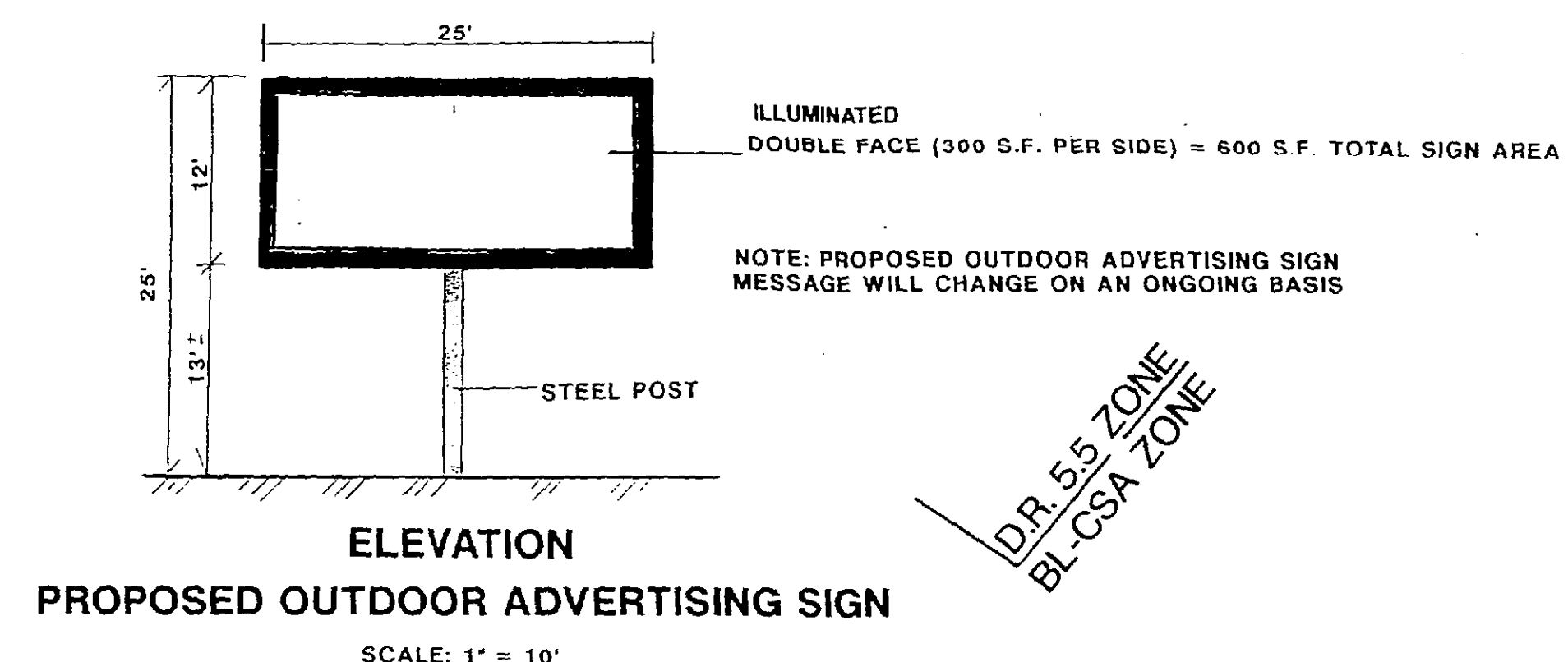
- PARKING NOTE: PROPOSED SIGN LOCATION WILL NOT INTERFERE WITH ANY EXISTING PARKING SPACES, LOADING AREAS OR TRAVEL AISLES.
- UTILITIES: SITE IS SERVED BY EXISTING PUBLIC UTILITIES
- ZONING NOTES: OUTDOOR ADVERTISING SIGN
SECTION 413.3 (BC2B)
A. TOTAL SURFACE AREA OF SIGN = 300 S.F. PER SIDE (600 S.F. TOTAL)
B. N/A
C. N/A
D. SIGN IS NOT LOCATED WITHIN 100 FEET OF ANY STREET INTERSECTIONS.
E. 100' +/- OF THE STREET FRONTAGE (JOPPA ROAD) BETWEEN BELAIR ROAD AND SEVEN COURTS DRIVE IS COMMERCIALLY DEVELOPED AS FOLLOWS:
EXISTING USES (MOVING WEST FROM SITE)
HAIR SALON (4142 JOPPA) - 52' +/-
THRIFT SHOP (4140 JOPPA) - 70' +/-
SAVO INDUSTRIAL PARK (4138 JOPPA) - 300' +/-
WEIS MARKET (4130 & 4126 JOPPA) - 600' +/-
1,022' +/-
F. THERE ARE NO EXISTING OUTDOOR ADVERTISING SIGNS WITHIN 500 FEET OF THE PROPOSED SIGN LOCATION
G. N/A
H. N/A
I. N/A

- SECTION 413.5 (BC2B)
- THE SURFACE AREA OF THE PROPOSED SIGN INCLUDES THE ENTIRE FACE OR FACES OF THE SIGN. (SEE ELEVATION)
 - THE SIGN DOES NOT PROJECT INTO THE STREET RIGHT-OF-WAY.
 - THE SIGN HAS BEEN LOCATED TO ALLOW CLEAR AND AMPLE VISUAL SIGHT LINES FROM ALL EXISTING DRIVEWAYS AND STREET INTERSECTIONS.
 - THE SIGN SHALL NOT EXTEND MORE THAN 75 FEET ABOVE THE LEVEL OF THE STREET (JOPPA ROAD).
 - THE SIGN WILL BE ILLUMINATED IN SUCH A WAY TO AVOID GLARE AND REFLECTION ONTO ADJACENT ROADS, ONCOMING VEHICLES OR ONTO ANY ADJACENT RESIDENTIAL PREMISES. LIGHTING WILL BE MOUNTED ON THE TOP OF THE SIGN AND AIMED DIRECTLY AT THE SURFACE OF THE SIGN.

ZONING DESCRIPTION
OUTDOOR ADVERTISING SIGN EASEMENT
4142 JOPPA ROAD
BALTIMORE COUNTY, MD

BEGINNING AT A POINT 136 FEET, MORE OR LESS, ALONG THE NORTH SIDE OF JOPPA ROAD, 84 FOOT WIDE FROM THE CENTERLINE OF BELAIR ROAD, AND 10.18 FEET FROM THE BEGINNING OF THE NORTH 18 DEGREES, 40 MINUTES, 00 SECONDS EAST, 155.06 FOOT LINE OF THE DEED TO WILLIAM J. AND CATHERINE A. PETERSON RECORDED AMONG THE LAND RECORDS OF BALTIMORE COUNTY IN LIBER 7742, FOLIO 223; THENCE RUNNING THE FOLLOWING COURSES AND DISTANCES:

- SOUTH 86 DEGREES, 51 MINUTES, 47 SECONDS WEST, 15 FEET
 - NORTH 03 DEGREES, 08 MINUTES, 13 SECONDS WEST, 30 FEET
 - NORTH 86 DEGREES, 51 MINUTES, 47 SECONDS EAST, 16 FEET
 - SOUTH 03 DEGREES, 08 MINUTES, 13 SECONDS EAST, 30 FEET
- TO THE POINT OF BEGINNING, CONTAINING 450 SQUARE FEET OF LAND, MORE OR LESS.



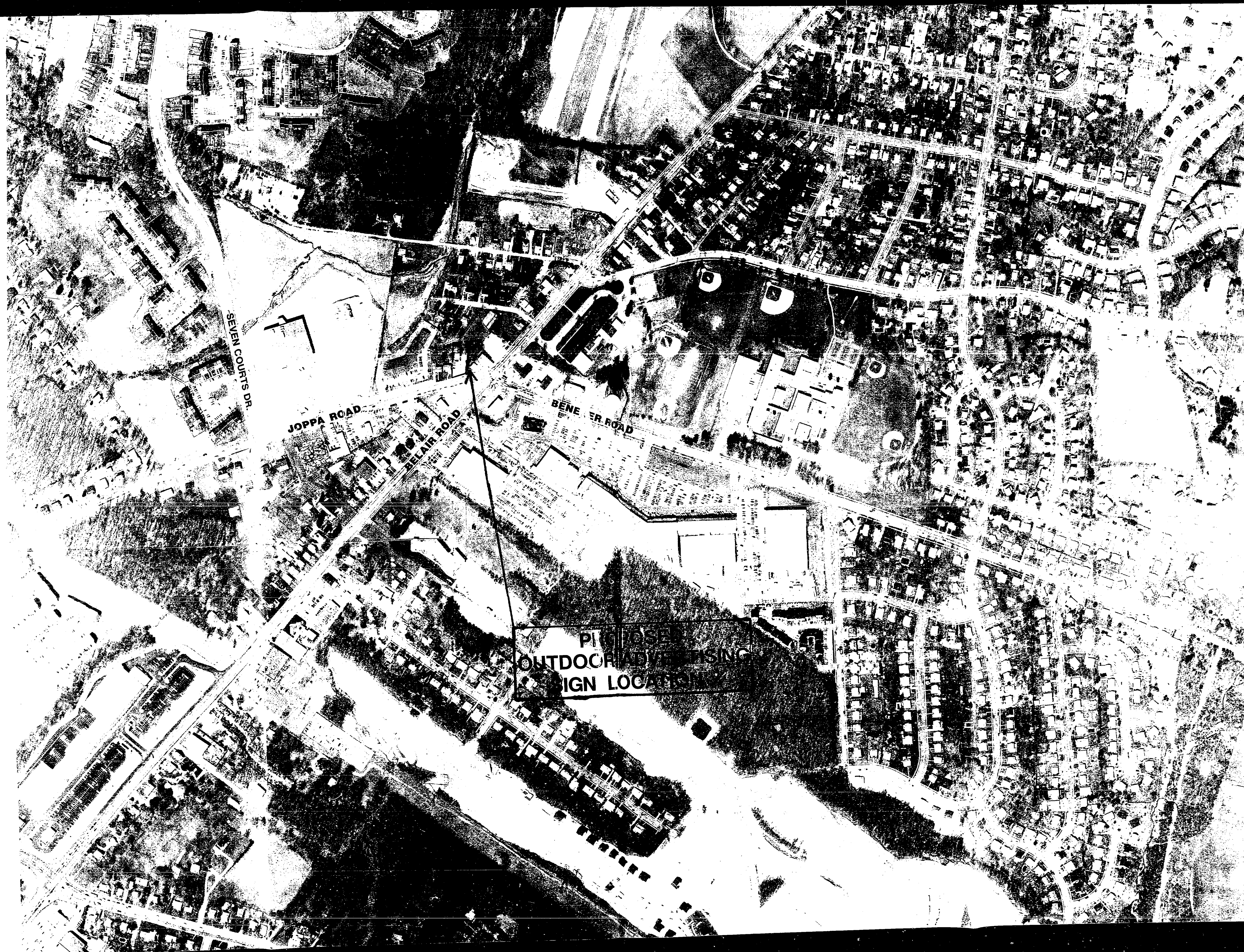
PLAT TO ACCOMPANY SPECIAL EXCEPTION
FOR APPEAL TO BALT. CO. BOARD OF APPEALS
4142 JOPPA ROAD
BALTIMORE COUNTY, MD

WILLIAM MONK, INC.
PLANNING • LANDSCAPE DESIGN
ENVIRONMENTAL RESOURCE MANAGEMENT
COURT HOUSE COMMONS
10000 WATSON ROAD, SUITE 67
BALTIMORE, MARYLAND 21202
(410) 494-8931

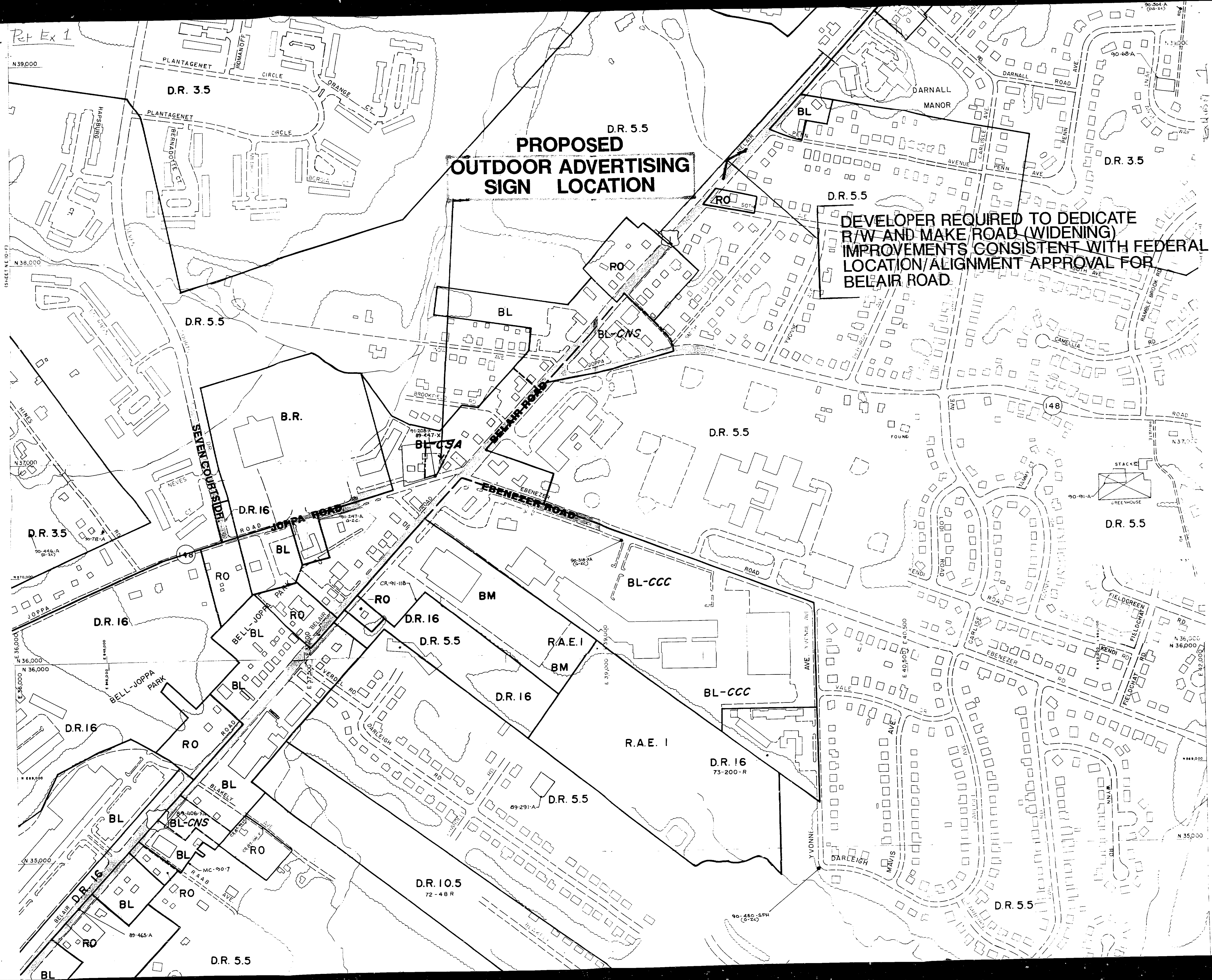
APPLICANT:
PENN ADVERTISING OF BALTIMORE, INC.
3001 REMINGTON AVENUE
BALTIMORE, MARYLAND 21211

JOB NO. 92016
DATE: 2/18/92
SCALE: 1" = 20'

Pet. Ex. #4



Ref Ex 1



**PROPOSED
OUTDOOR ADVERTISING
SIGN LOCATION**

**DEVELOPER REQUIRED TO DEDICATE
R/W AND MAKE ROAD (WIDENING)
IMPROVEMENTS CONSISTENT WITH FEDERAL
LOCATION/ALIGNMENT APPROVAL FOR
BELAIR ROAD**

IN RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
N/S Joppa Road, 250' W of the * ZONING COMMISSIONER
c/l of Belair Road
11th Election District * OF BALTIMORE COUNTY
6th Councilmanic District
William Peterson
Petitioner * Case No. 91-208-X

AMENDED ORDER

WHEREAS, the Petitioner herein was denied a special exception for two 12' x 25' illuminated advertising signs at the subject location, in accordance with Petitioner's Exhibit 1, by Order issued July 12, 1991.

WHEREAS, subsequent to the issuance of said Order, Counsel for Petitioner advised this Office that his name was incorrectly spelled in said Order and requested that it be corrected;

IT IS ORDERED by the Zoning Commissioner for Baltimore County this 30th day of July, 1991 that the Order issued July 12, 1991 in the above-captioned matter be and the same is hereby AMENDED to correct the spelling of Counsel for Petitioner to M. Albert Figinski.

IT IS FURTHER ORDERED that all of terms and conditions of the Order issued July 12, 1991 shall remain in full force and effect.

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

JRH:bjs

cc: M. Albert Figinski, Esquire
Weinberg & Green, 100 S. Charles Street, Baltimore, Md. 21201
People's Counsel; File

ORDER RECEIVED FOR FILING
Date 7/31/91
By [Signature]

APPEAL

Petition for Special Exception
N/S Joppa Road, 250' W of the c/l of Belair Road
11th Election District - 6th Councilmanic District
WILLIAM PETERSON - Petitioner
Case No. 91-208-X

Petition for Special Exception

Description of Property

Certificate of Posting

Certificate of Publication

Entry of Appearance of People's Counsel

Zoning Plans Advisory Committee Comments

Director of Planning & Zoning Comments

Petitioner's Exhibits: 1. Plat to accompany Special Exception
2. Photographs of sign location

Protestant's Exhibits: 1. Photographs of sign location

Zoning Commissioner's Order dated July 12, 1991 (Denied)

Notice of Appeal received August 8, 1991 from Fred M. Lauer, Attorney on behalf of Penn Advertising of Baltimore, Inc.

cc: William Peterson, 1045 Marleigh Circle, Towson, MD 21204

Stuart R. Berger, Esquire - Weinberg & Green
100 S. Charles Street, Baltimore, MD 21201, Balto., MD 21201

Donna Hayward - Penn Advertising of Baltimore, Inc.
P.O. Box 4868, Baltimore, MD 21211

Fred M. Lauer, Esquire - Penn Advertising of Baltimore, Inc.
P.O. Box 4868, Baltimore, MD 21211

Mark Miller - Perry Hall Improvement Association
4107 Loch Lomond Drive, Perry Hall, MD 21128

Mr. & Mrs. George Wilson, 4517 Forge Road, Perry Hall, MD 21128

Moses L. Gwynn, 4806 Forge Road, Perry Hall, MD 21128

James L. Harvey, 9712 Corss Road, Perry Hall, MD 21128

Mr. & Mrs. Maurice Raab, 4202 Raab Avenue, Baltimore, MD 21236

Mary Emmrick and Susan Thompson
for Councilman Gardina

Doug Behr, 7451 Bradshaw Road, Kingsville, MD 21087

Susan Dobry, 4015-A Perry Hall Road, Perry Hall, MD 21128

Robin Beers, 12442 Jerusalem Road, Kingsville, MD 21087

Appeal Checklist - Case No. 91-208-X
William Peterson, Petitioner
September 4, 1991
Page 2

Richard Caton, 4219 Haycoke Road, Baltimore, MD 21236

People's Counsel of Baltimore County
Rm. 304, County Office Bldg., Towson, Md. 21204

Request Notification: P. David Fields, Director of Planning & Zoning
Patrick Keller, Office of Planning & Zoning
J. Robert Haines, Zoning Commissioner
Ann M. Nastarowicz, Deputy Zoning Commissioner
James E. Dyer, Zoning Supervisor
W. Carl Richards, Jr., Zoning Coordinator
Docket Clerk
Arnold Jablon, Chief Deputy County Attorney
Public Services

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE COUNTY BOARD OF APPEALS
N/S Joppa Rd., 250' W of C/L :
of Belair Rd., 11th Election : OF BALTIMORE COUNTY
Dist.; 6th Councilmanic Dist. :
WILLIAM PETERSON, Petitioner : Case No. 91-208-X

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 304, County Office Bldg.
111 W. Chesapeake Ave.
Towson, Maryland 21204
(301) 887-2188

I HEREBY CERTIFY that on this 20th day of September, 1991, a copy of the foregoing Entry of Appearance was mailed to Stuart R. Berger, Esquire, Weinberg & Green, 100 S. Charles St., Baltimore, MD 21201; Fred M. Lauer, Esquire, Penn Advertising of Baltimore, Inc., P.O. Box 4868, Baltimore, MD 21211; and Mark Miller, Perry Hall Improvement Assn., 4107 Loch Lomond Drive, Perry Hall, MD 21128.

Phyllis Cole Friedman
Phyllis Cole Friedman

PETITION FOR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 91-208-X

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County to use the herein described property for two 12' x 25' illuminated advertising structures.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I We do solemnly declare and affirm, under the penalties of perjury, that I we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: Penn Advertising of Baltimore, Inc.
(Type or Print Name)
Signature: [Signature]
Address: 3001 Remington Avenue
Baltimore, Maryland 21211
City and State
Legal Owner(s): William Peterson
(Type or Print Name)
Signature: [Signature]
Address: 1045 Marleigh Circle
Towson, Maryland 21204
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Name: [Name]
Address: [Address]
Phone No.: [Phone No.]
Attorney for Petitioner: Stuart R. Berger, Esq.
(Type or Print Name)
Signature: [Signature]
Address: 36 South Charles Street
Baltimore, Maryland 21201
City and State
Attorney's Telephone No.: (301) 332-8662
Address: [Address]
Phone No.: [Phone No.]

ORDERED By The Zoning Commissioner of Baltimore County, this _____ day of _____ 19____ that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the _____ day of _____ 19____ at _____ o'clock _____M.

Zoning Commissioner of Baltimore County.

(over)

RECEIVED FOR FILING
Date 10/3/90
By [Signature]

PNE - 10/3/90
Bt. time .45 min.
avail anytime

0366:03/20/91
BP025/75976

IN THE MATTER OF A * BALTIMORE COUNTY
PETITION FOR SPECIAL *
EXCEPTION AT * Zoning Case No. 91-208-X
N/S Joppa Road *
250' W centerline of Belair Road *
11th Election District - 6th *
Councilmanic District *
WILLIAM PETERSON, et ux. *
Petitioner *

ENTRY OF APPEARANCE

Please enter the appearance of Stuart R. Berger and Weinberg and Green as attorneys for the Petitioner and Contract Lessee in the above-captioned case.

Respectfully submitted,

Stuart R. Berger
Stuart R. Berger

WEINBERG AND GREEN
100 South Charles Street
Baltimore, Maryland 21201
(301) 332-8662

Attorneys for the Petitioner/
Contract Lessee

0366:04/05/91(4)
BP198/76296

IN THE MATTER OF A PETITION * BEFORE THE
FOR SPECIAL EXCEPTION * BALTIMORE COUNTY ZONING
COMMISSIONER *
N/S Joppa Road *
250' W Centerline of Belair Rd. * Case No.: 91-208-X
11th Election District - 6th *
Councilmanic District * Item No.: 190
Petitioner: William Peterson, *
et ux. * Hearing Date: 4/3/91
Contract Purchaser: Penn *
Advertising of Baltimore, Inc. *

REQUEST FOR REHEARING

The Petitioner and Contract Purchaser, by their undersigned attorneys, hereby request a rehearing of the above-captioned Petition for Special Exception. In support of the Request, the Petitioner and Contract Purchaser state as follows:

1. On March 27, 1991, the Petitioner and Contract Purchaser filed a Request for Postponement of the hearing on the Petition for Special Exception for one 12' x 25' outdoor advertising sign. The hearing on the Petition for Special Exception was scheduled for April 3, 1991. Thereafter, the undersigned was advised that the Request for Postponement was granted. However, the undersigned was further advised that, because the Request for Postponement was filed only a week before the scheduled hearing date, the Zoning Commissioner would nonetheless take the testimony of all protestants that appeared at the April 3, 1991 hearing.

0366:04/05/91(4)
BP198/76296

2. On April 3, 1991 at approximately 11:00 a.m., this case was called for hearing on the extant Petition for Special Exception. Four protestants testified at the April 3, 1991 hearing. The Petitioner and Contract Purchaser respectfully request a copy of the sign-in sheet reflecting the names and addresses of the four protestants who testified at the April 3, 1991 hearing.

3. At the time the Request for Postponement was granted, the undersigned was advised that he would have the opportunity to present the Petitioner's case at a subsequent date to be scheduled by the Zoning Commissioner.

WHEREFORE, for the foregoing reasons, the Petitioner and Contract Purchaser respectfully request that this matter be rescheduled for a hearing in order to afford the Petitioner the right to present its case in support of the extant Petition for Special Exception.

Respectfully submitted,

Stuart R. Berger
Stuart R. Berger

WEINBERG AND GREEN
100 South Charles Street
Baltimore, Maryland 21201
(301) 332-8662

Attorney for Petitioner/
Contract Purchaser

PROPOSED - REVISED
DESCRIPTION OF PROPERTY

JOPPA ROAD (PARCEL 2)

Beginning at a point 250 West along the center line of Belair Road from its intersection with the Center line of Joppa Road thence North N 03° 08' 00" a distance of 62' to the point of beginning thence

NORTH 03° 08' 13" WEST - 30'

NORTH 88° 51' 47" EAST - 15'

SOUTH 03° 08' 13" EAST - 30'

SOUTH 86° 51' 47" WEST - 15'

to the point of beginning

91-208-X

CERTIFICATE OF PUBLICATION

TOWSON, MD. 1-3, 1991

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 12-20, 1990

THE JEFFERSONIAN,

S. Zake Nelson

Publisher

\$ 60.35

NOTICE OF HEARING
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 West Chesapeake Avenue in Towson, Maryland 21204 as follows:

Case Number: 91-208-X
N/S Joppa Road, 250' W. center line of Belair Road
Legal Owner(s): William Peterson, et al
11th Election District
6th Councilmember
Consent Purchaser(s):
Petition Advertising of Baltimore, Inc.
Hearing Date: Wednesday, Jan. 30, 1991 at 11:00 a.m.
Special Exception for two 12 ft. x 25 ft. illuminated advertising structures.
J. ROBERT HAINES
Zoning Commissioner of Baltimore County
NJ1209 Dec. 20.

CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was published in the NORTHEAST TIMES BOOSTER and the NORTHEAST TIMES REPORTER, weekly newspapers published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 12-20, 1990

NORTHEAST TIMES BOOSTER and the NORTHEAST TIMES REPORTER

S. Zake Nelson

Publisher

\$ 60.35

NOTICE
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 West Chesapeake Avenue in Towson, Maryland 21204 as follows:

Case Number: 91-208-X
N/S Joppa Road, 250' W. center line of Belair Road
Legal Owner(s): William Peterson, et al
11th Election District
6th Councilmember
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Hearing Date: Wednesday, Jan. 30, 1991 at 11:00 a.m.
Special Exception for two 12 ft. x 25 ft. illuminated advertising structures.
J. ROBERT HAINES
Zoning Commissioner of Baltimore County
NJ1209 Dec. 20.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 11th Date of Posting: 1/14/91
Posted for: Special Exception
Petitioner: William Peterson, et al & Pet. Adg. of Baltimore, Inc.
Location of property: N/S Joppa Rd., 250' W. of Belair Rd.
Location of Sign: Facing East Rd., across 15' E. road way, on property of Baltimore
Remarks:
Posted by: M. Haines Signature Date of return: 1/17/91
Number of Signs: 1

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 11th Date of Posting: 1/14/91
Posted for: Special Exception
Petitioner: William Peterson, et al & Pet. Adg. of Baltimore, Inc.
Location of property: N/S Joppa Rd., 250' W. of Belair Rd.
Location of Sign: Posted - This is with dimensions for 15' E. road way, on property of Baltimore
Remarks:
Posted by: M. Haines Signature Date of return: 1/14/91
Number of Signs: 1

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 11th Date of Posting: 1/17/91
Posted for: Special Exception
Petitioner: William Peterson, et al & Pet. Adg. of Baltimore, Inc.
Location of property: N/S Joppa Rd., 250' W. of Belair Rd.
Location of Sign: Facing East Rd., across 15' E. road way, on property of Baltimore
Remarks:
Posted by: M. Haines Signature Date of return: 1/22/91
Number of Signs: 1

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 11th Date of Posting: 1/17/91
Posted for: Special Exception
Petitioner: William Peterson, et al & Pet. Adg. of Baltimore, Inc.
Location of property: N/S Joppa Rd., 250' W. of Belair Rd.
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CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 11th Date of Posting: 1/14/91
Posted for: Special Exception
Petitioner: William Peterson, et al & Pet. Adg. of Baltimore, Inc.
Location of property: N/S Joppa Rd., 250' W. of Belair Rd.
Location of Sign: Facing East Rd., across 15' E. road way, on property of Baltimore
Remarks:
Posted by: M. Haines Signature Date of return: 1/17/91
Number of Signs: 1

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number

receipt
N: 3800

PUBLIC HEARING FEES		QTY	PRICE
4500 - SPECIAL EXCEPTION	1	X	\$175.00
TOTAL:			\$175.00
LAST NAME OF OWNER: PETERSON			
Please make checks payable to: Baltimore County			
Validation: H9100190			
04A04#0013HICRC \$175.00 BA C002139PM11-01-90 Please make checks payable to: Baltimore County			

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number

rec

Date: 1/14/91
Please Make Checks Payable To: Baltimore County
Cashier Validation

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number

receipt

Date: 1/15/91
Posting and Breaching Fees \$170.00
Per Advertiser
Please Make Checks Payable To: Baltimore County
Cashier Validation

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number

receipt

Date: 1/14/91
Please Make Checks Payable To: Baltimore County
Cashier Validation

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number

rec

Date: 1/14/91
Please Make Checks Payable To: Baltimore County
Cashier Validation

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning
111 West Chesapeake Avenue
Towson, MD 21204
887-3353

DATE: 3/14/91

Penn Advertising of Baltimore, Inc.
3001 Remington Avenue
Baltimore, Maryland 21211

RE:
Case Number: 91-208-X
N/S Joppa Road, 250' W centerline of Belair Road
Legal Owner(s): William Peterson, et ux
11th Election District - 6th Councilmanic
Contract Purchaser(s): Penn Advertising of Baltimore, Inc.
HEARING: WEDNESDAY, JANUARY 30, 1991 at 11:00 a.m.

Dear Petitioner(s):

Please be advised that \$ 50.00 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner
BALTIMORE COUNTY, MARYLAND

cc: Stuart Berger, Esq.

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning
111 West Chesapeake Avenue
Towson, MD 21204
887-3353

December 7, 1990

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Case Number: 91-208-X
N/S Joppa Road, 250' W centerline of Belair Road
Legal Owner(s): William Peterson, et ux
11th Election District - 6th Councilmanic
Contract Purchaser(s): Penn Advertising of Baltimore, Inc.
HEARING: WEDNESDAY, JANUARY 30, 1991 at 11:00 a.m.

Special Exception for two 12 ft. x 25 ft. illuminated advertising structures.

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner of
Baltimore County

cc: William Peterson, et ux
Penn Advertising of Baltimore, Inc.
Stuart Berger, Esq.

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning
111 West Chesapeake Avenue
Towson, MD 21204
887-3353

February 11, 1991

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Case Number: 91-208-X
N/S Joppa Road, 250' W centerline of Belair Road
11th Election District - 6th Councilmanic
Legal Owner(s): William Peterson, et ux
Contract Purchaser(s): Penn Advertising of Baltimore, Inc.
HEARING: WEDNESDAY, JANUARY 30, 1991 at 11:00 a.m.

Special Exception for two 12 ft. x 25 ft. illuminated advertising structures.

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner of
Baltimore County

cc: William Peterson, et ux
Penn Advertising of Baltimore, Inc.
Stuart Berger, Esq.

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning
111 West Chesapeake Avenue
Towson, MD 21204
887-3353

May 10, 1991

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Case Number: 91-208-X
N/S Joppa Road, 250' W centerline of Belair Road
11th Election District - 6th Councilmanic
Legal Owner(s): William Peterson, et ux
Contract Purchaser(s): Penn Advertising of Baltimore, Inc.
HEARING: WEDNESDAY, JUNE 19, 1991 at 1:30 p.m.

Special Exception for two 12 ft. x 25 ft. illuminated advertising structures.

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner of
Baltimore County

cc: William Peterson, et ux
Penn Advertising of Baltimore, Inc.
Stuart Berger, Esq.

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning
111 West Chesapeake Avenue
Towson, MD 21204
887-3353

March 26, 1990

Stuart R. Berger, Esquire
36 South Charles Street
Baltimore, MD 21201

RE: Item No. 190, Case No. 91-208-X
Petitioner: William Peterson, et ux
Petition for Special Exception

Dear Mr. Berger:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

cc: Mr. & Mrs. William Peterson
Ms. Donna Hayward

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning
111 West Chesapeake Avenue
Towson, MD 21204
887-3353

Your petition has been received and accepted for filing this
30th day of January, 1990.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

Received By:

James E. Dyer
Chairman,
Zoning Plans Advisory Committee

Petitioner: William Peterson, et ux

Petitioner's Attorney: Stuart R. Berger

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner

DATE: January 31, 1991

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: IDA Limited Partnership, Item No. 200

The petitioner requests a Special Exception for an illuminated
12' X 25' advertising sign.

Staff believes the control of outdoor advertising signs is essential in protecting the health, safety and welfare of the citizens of Baltimore County. In certain locations, the unique scale and design of outdoor advertising signs clearly compromises public safety and traffic safety, since these signs are distracting. The very purpose of an outdoor advertising sign is to attract the attention of the operators of motor vehicles, so that a commercial message is noticed.

This office recognizes that high standards for signs enhance the aesthetic appearance of the community and the ability of the commercial sector to thrive in an attractive environment.

In many commercial areas it is difficult to locate commercial uses: not because of a general lack of signs, but because of excessive sign size, which has been exacerbated by competitive waste. In many areas of the county, some business people increase signage in order to compete with each other for attention.

The Baltimore County Master Plan makes several references to the importance of controlling signage, specifically on Page 74, in the following issue is identified:

"The sign regulations need to be completely updated and revised. The regulations should distinguish between new and existing signs, as well as public and private signage. Incentives for... phasing out nonconforming uses should be evaluated. Compliance with adopted local community plans should also be considered."

On Page 116 of the Master Plan the following short-term action is called for in the Eastern Sector:

"Clear up signage to reduce clutter and to provide adequate directional signage."

IDA Limited Partnership, Item No. 200
Page 2
February 1, 1991

Planning staff presented proposed legislation regarding the location of outdoor advertising in B.R. zones. In our presentation, staff testified that outdoor advertising signs do not belong and were not intended to be permitted by special exception in the B.R. zone.

The Ad Hoc Committee on Regulations and Standards approved staff's recommendation and moved that the issue be passed on for consideration of the Planning Board.

Based upon the information provided and the analysis conducted, staff recommends that the petitioner's request be denied.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm
ITEM200/ZAC1